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ABSTRACT

The purpose of this text is to guide high school students to a greater understanding of the subject of authority and a greater ability to deal with issues of authority effectively as they go about their daily lives as citizens in U.S. society. This curriculum guide contains 12 lessons that are organized into four units. Unit 1, What is authority?, includes the following lessons: (1) What is the difference between authority and power without authority? (2) What are some sources of authority? and (3) How can we use authority? Unit 2, How can we evaluate rules and candidates for positions of authority?, contains: (4) How should we choose people for positions of authority? (5) Who would you select for this position of authority? (6) What should be considered in evaluating rules? and (7) How would you create a law? Unit 3, What are the benefits and costs of authority?, presents: (8) What are some consequences of authority? and (9) How do you judge the benefits and costs of authority? Unit 4, What should be the scope and limits of authority?, features: (10) What makes a well-designed position of authority? (11) How would you evaluate this position of authority? and (12) How would you design a position of authority? A concluding activity, What should be the limits on challenging authority?, also is provided. (DB)

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Law in a Free Society Series

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Law in a Free Society Series

Level VI

Center for Civic Education 5146 Douglas Fir Road Calabasas, CA 91302 818-340-9320

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Second Edition

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Preface

> *"We hold these Truths to be self-evident ... Governments are instituted among Men, deriving their just Powers from the Consent of the Governed ...."*

The quotation you have just read, from the Declaration of Independence, contains one of our nation's most basic ideas about government. We, the people, give our government the authority to rule us. We have given the government the right, under certain conditions and limitations, to control our lives, our liberty, and our property.

We, as citizens, retain the ultimate right to control how our government uses the authority we have delegated to it. We exert this control by exercising our right to vote and by other forms of political participation.

The rights of citizenship carry with them the responsibility to deal intelligently with issues of authority. To do this, we need to understand authority and make informed decisions about its use. We need to be able to answer such questions as "What is authority?" "Where does authority come from?" and "Why do we need authority?"

To be able to make informed and responsible decisions about issues of authority, we need to learn to use a number of "intellectual tools." The term "intellectual tools" refers to a variety of ideas, observations about society and our roles within it, and sets of questions useful in analyzing situations and reaching decisions. They are tools of the mind that, like any well-developed and refined tools, can be useful in a number of ways.

This text is intended to help you gain a greater understanding of the subject of authority and a greater ability to deal with issues of authority effectively as they arise in your daily life as a citizen in our free society.

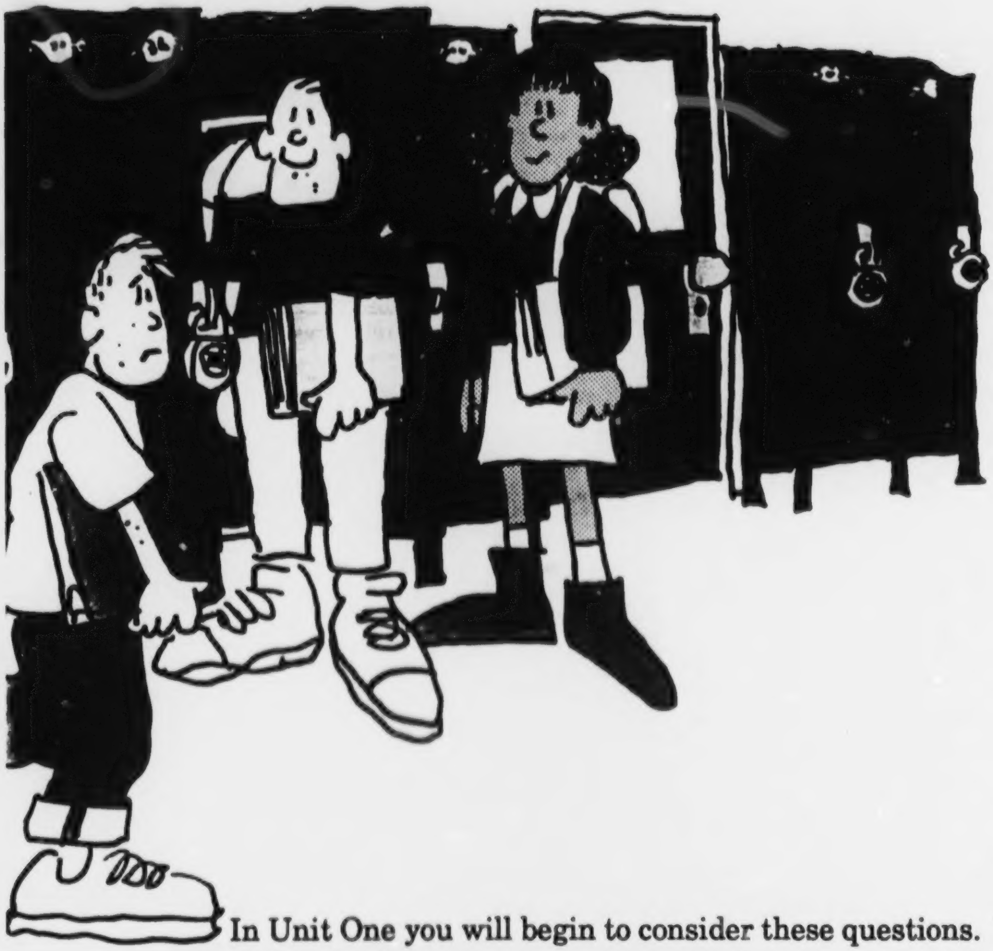
Unit 1

What Is Authority?

OFFICE
stein

When does someone have the right to tell you what to do?
When do you have the right to tell others what to do?

These are difficult questions. The answers have to do with authority, with the rules and the people who govern our lives. We need to be able to answer these questions in order to deal with the issues of authority that confront us every day—at home, at school, in our jobs, and in our government.



In Unit One you will begin to consider these questions. You will learn the difference between authority and power without authority—between those who have the right to use power and those who do not. You will examine different sources of authority and discuss the need for authority in society. This background will help you deal with more difficult questions about people in authority and the rules that govern your life.

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Lesson 1

What Is the Difference Between Authority and Power Without Authority?

Problem Solving

A Time of Terror

The drug lords sent a chilling message to the people of the small South American country. "We declare total and absolute war on the government ... and everyone else who has attacked us." The lines had been drawn. On one side stood the drug cartel, its leaders wealthy, armed, and without compunction about destroying all who would hinder them. On the other side were the members of the government, the journalists, and all those citizens willing to risk their lives to protect their nation. It was truly a struggle for the future of the country. Was the nation to be ruled by law or by terror?

No one had any doubts that the drug lords were deadly serious in their threats. Murder and assassination had become a way of life. One presidential candidate, numerous judges and legal officials, and a number of prominent journalists had been killed in the last few months. A climate of fear pervaded the country, especially in the capital city.

Reute photos

How did the drug cartel use terror as a weapon in its war with the government?

The drug lords had proclaimed a war that extended to the families of those threatened. Public officials were particularly concerned about their children. Some sent their families to live abroad, but even that did not offer complete protection. Assassinations had taken place outside the country, in Europe and in the United States. There was no real safety for those marked by the drug lords.

The government answered these threats by confiscating the property of the drug lords and arresting thousands of suspected drug traffickers. Leading figures in the drug cartel were hunted down, arrested, and extradited to the United States for trial. It was a war for control of the nation.

What do you think?

1. Which people in this story are using power?
2. What is the difference between the use of power by the drug lords and by the government?

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Power or Authority?

The story you have just read raises questions of power and authority. The distinction between the two ideas is important. You may have been in situations where someone used power to force you to do something you did not want to do. Sometimes that person may have had the right to do so; other times he or she may not have had that right. When does someone have the right to tell you what to do?

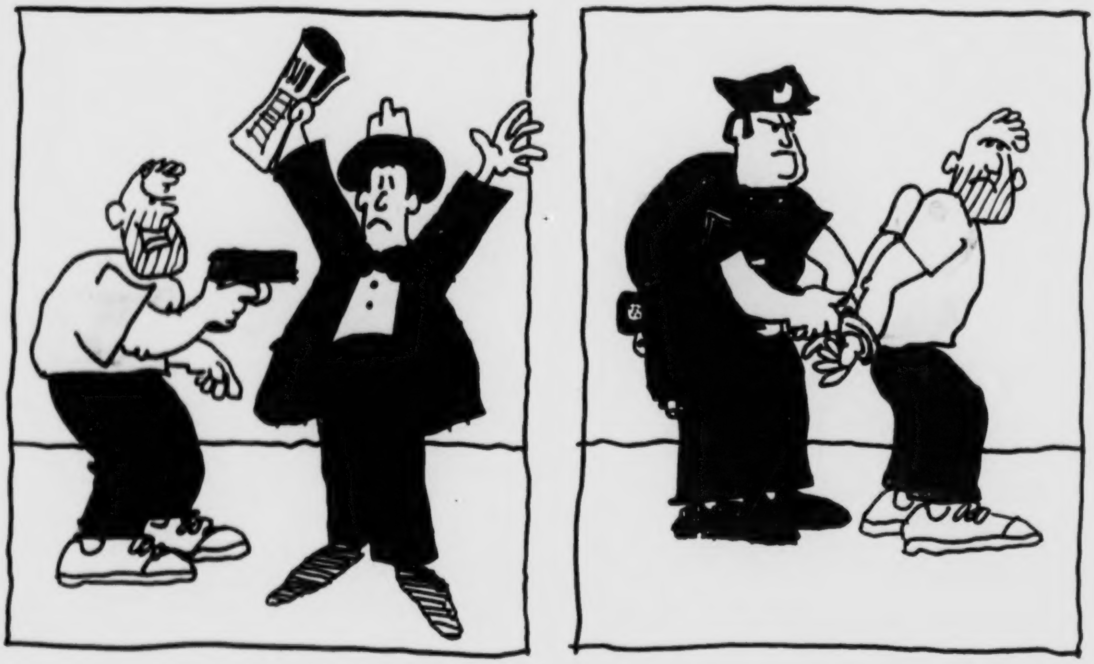
> Do your parents have the right to tell you when you have to be home? Why or why not?
>
> Does your older sister have the right to tell you what TV show you can watch? Why or why not?
>
> Does your principal have the right to tell you when you may or may not leave the school campus? Why or why not?
>
> Does your classmate have the right to force you to do something you don't want to do? Why or why not?
>
> Does the government have the right to require you to obey a law that you believe is wrong? Why or why not?

To begin to answer these questions, we need to know the difference between **power** and **authority**. There may be more than one way to define these terms; for our purposes, we will use the following definitions:

> **Power** is the ability to control or direct something or someone. Sometimes people may have the right to use power; sometimes they may not.
>
> > When a thief robs you at gunpoint, he may have the power to do so. He does not have the right.
> >
> > When Congress passes a law requiring people to pay taxes, it has both the power and the right to do so.
>
> **Authority** is **power** combined with the **right** to use that power. The right to use power usually comes from laws, customs, or principles of morality.
>
> > Congress has the authority to pass a law because it has been given that right by the Constitution.
> >
> > A police officer has the authority to arrest a person because the law gives him that right.

Problem Solving

Can you tell the difference between authority and power without authority?



To help you understand the difference between authority and power without authority, read the sentences below and answer the questions that follow them. Be prepared to explain your answers to the class.

1. Judge Alvarez places Maggie on probation.
2. Ralph Wingo tells Marty Karinsky to stay away from his girl or Ralph will "take care of him."
3. The police give Allison Green a ticket for speeding.
4. Arturo Lopez tells his daughter that she will have to stay home all week because she stayed out too late on Saturday.

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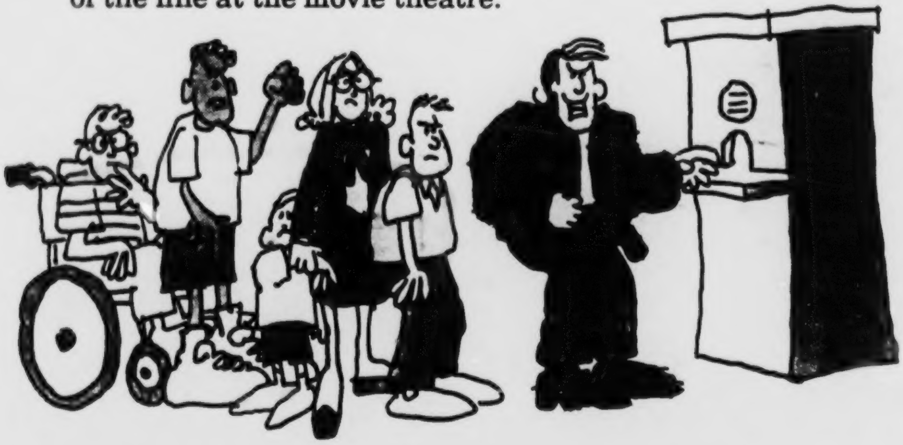
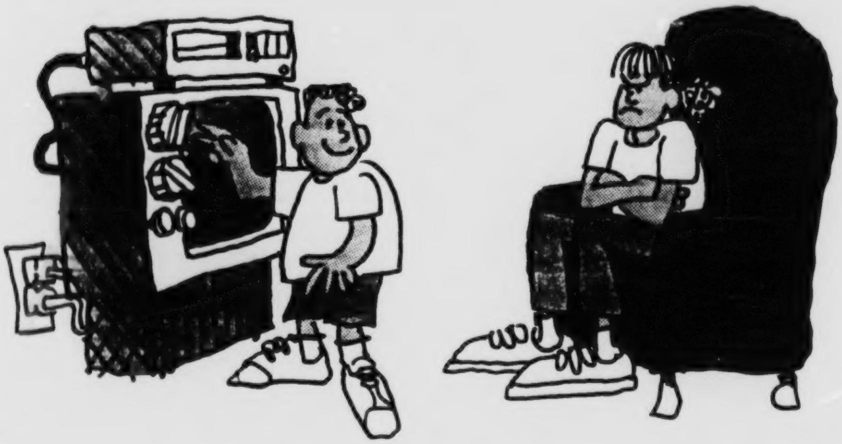
5. Bob Jackson, bigger than most of his friends, cuts in front of the line at the movie theatre.



6. A woman who runs an illegal gambling house tells a customer to pay his debt or it might mean trouble.

7. Jerry Rodriguez refuses to go into the army because he believes that it is morally wrong to kill.

8. Shawanda Johnson tells her brother that if he changes the TV channel, she'll beat him up.



9. A man in a movie theater tells the two girls sitting next to him to get out because they are making too much noise.

10. The manager of a restaurant tells a customer that she is not allowed to smoke in the "No Smoking" section.

Thank you for
NOT SMOKING

What do you think?

1. Which situations illustrate the use of authority? Why?
2. Which situations illustrate the use of power without authority? Why?
3. Why is it important to know the difference between authority and power without authority?

Using the Lesson

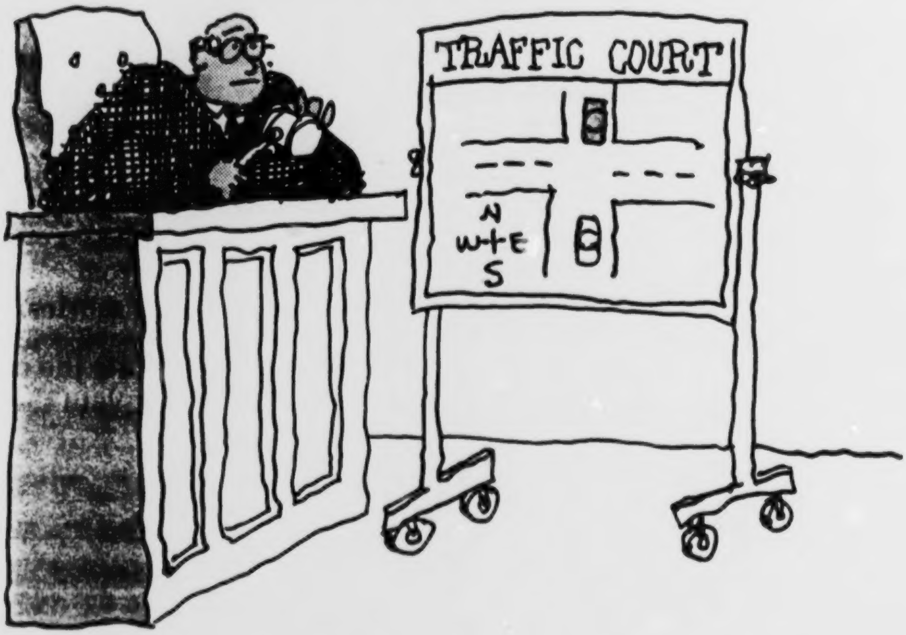
1. While you are studying this text on Authority, you should keep a notebook or journal. Begin by writing brief descriptions of four real or imaginary incidents which illustrate the use of authority and power without authority. Two should be examples of authority and two should be examples of power without authority. You may use incidents from your own experiences or from newspapers, magazines, books, television, or movies.
2. Bring two newsclippings to class that illustrate the use of authority or power without authority and explain them.

Lesson 2

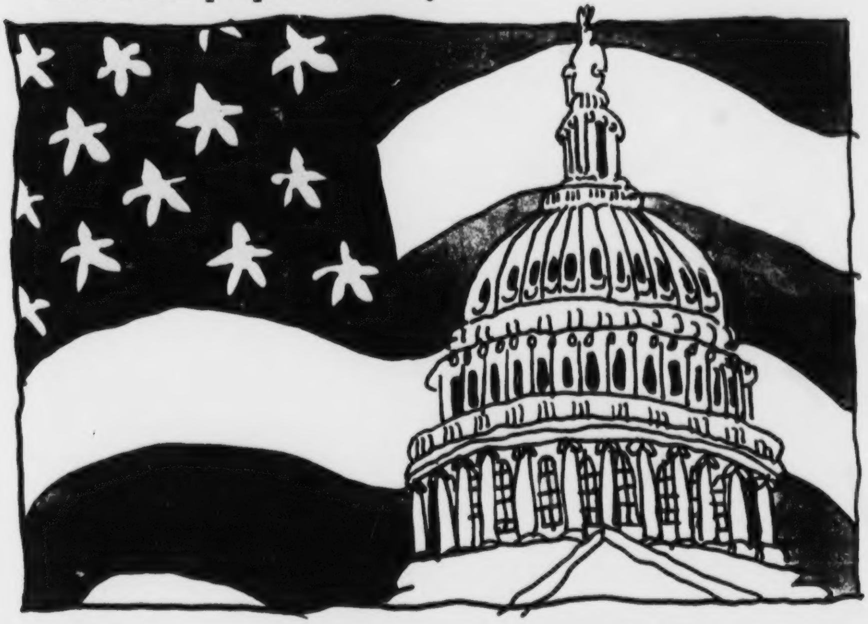
What Are Some Sources of Authority?

Where is authority found? We can look around every day and see numerous examples of people who have the authority to govern us and the way we act. Parents, teachers, police officers, and government officials are just some of the people who have the authority to control our actions. We are also influenced or controlled by rules and laws. Some of the most common places we can find authority include the following:

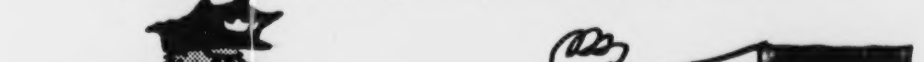
> **ROLES.** Certain roles carry with them the right to control people, no matter who is in these roles. For example, anyone filling the role of a police officer has the authority to require people to obey traffic laws.



INSTITUTIONS. Groups of people, working together in certain institutions, also have the authority to control or influence others. For example, Congress as an institution, and not its individual members, has the authority to pass laws which people must obey.



RULES AND LAWS. Rules and laws control people's behavior. In this sense, they have authority. For example, when you obey a law requiring you to attend school, you are recognizing the authority of the law.



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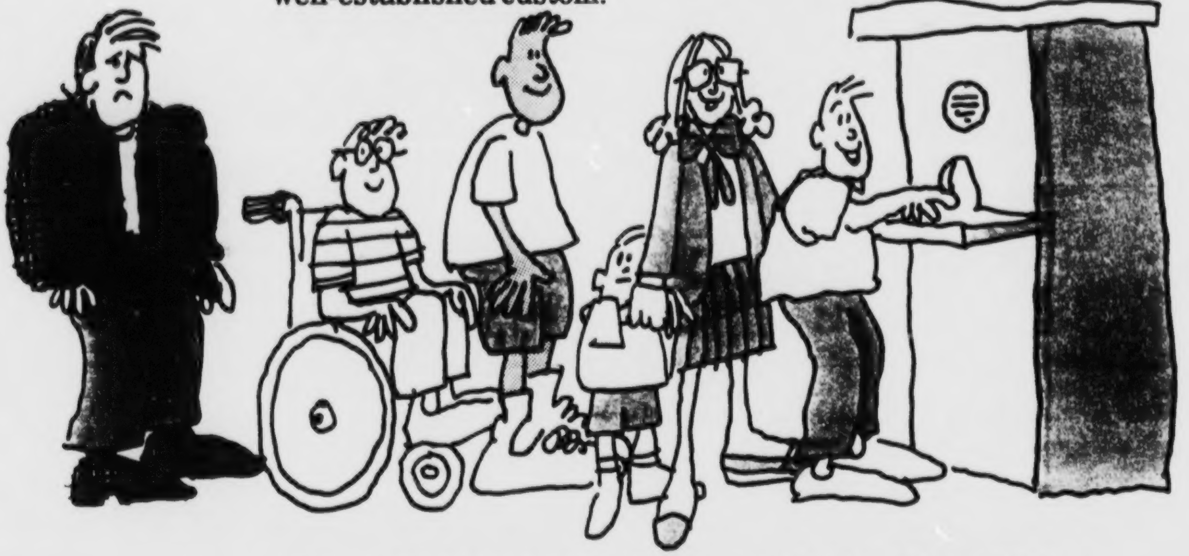
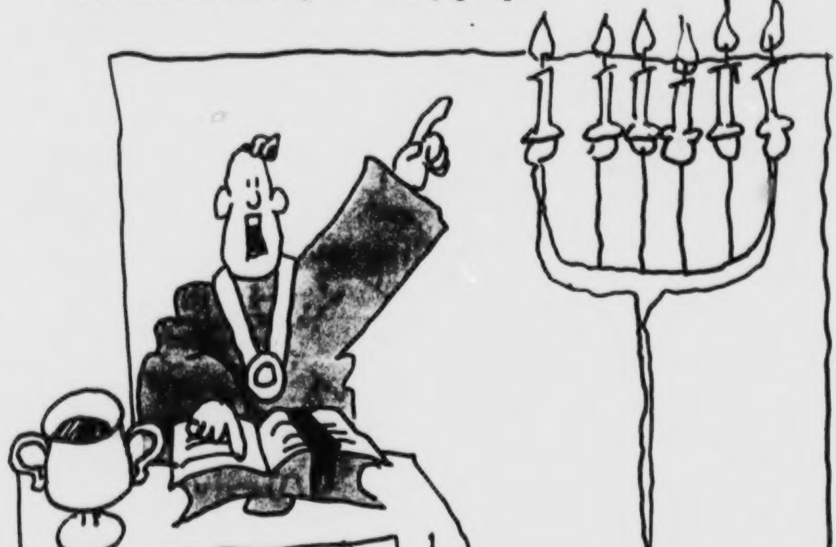
CUSTOMS. Customs are ways people behave that have been followed for a long time. When customs control people's behavior, they may be said to have authority. For example, when you follow the practice, "first come, first served," you are recognizing the authority of a well-established custom.



PRINCIPLES OF MORALITY. Fundamental ideas about right and wrong that come from religion, ethics, and individual conscience often govern our behavior. For example, the Bible has authority for many people.



Where does authority come from?

We have seen that authority may be found in a number of places, but where does it come from? How do certain roles, institutions, laws, customs, and moral principles get the authority, or right, to control our behavior? Where does the police officer get the right to tell us what to do? Why do some people feel the Bible has the authority to govern their actions? Where does Congress get the right to pass laws we must obey?

These are difficult questions to answer. Some people believe that customs and moral principles receive their authority from those who choose to accept them. Others would argue that they get their authority from the laws of nature or from a divine source. Historically, rulers or governments have claimed their authority from one or more of the following sources:

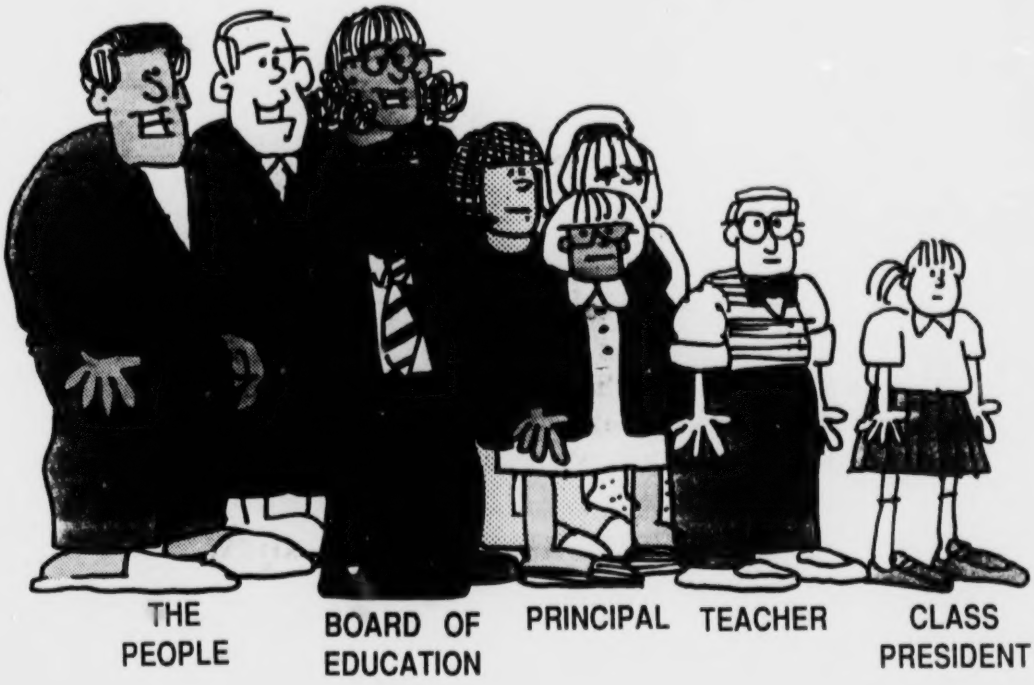
> **A SUPREME BEING.** Rulers have often claimed their authority comes from a supreme being or god. For example, kings and queens have often said they rule by divine right; that is, they get their authority from God.
>
> **BIRTH.** Some rulers have said they inherited their authority from earlier rulers who received their right to govern from a supreme being. Hereditary monarchies and aristocracies have made such claims.
>
> **KNOWLEDGE.** There are rulers who have claimed that their authority was based upon superior knowledge which gave them the right to control others.
>
> **CONSENT OF THE GOVERNED.** Many governments today claim their authority comes from the people, who are the ultimate source of authority. The people give their consent to the government and agree to be ruled by it.

Why is it important to know the source of authority?

We need to know the source of people's authority to determine if they have the right to do what they are doing. If we know, for example, that the Constitution gives certain powers to Congress, we can look at the Constitution to judge whether a law passed by Congress is within the limits of its authority. We can also ask what is the source of the Constitution's authority. In our democratic form of government, the authority of the Constitution comes from the consent of the people.

Sometimes there may be more than one source of authority for a rule or a position. The ultimate source of authority may be traced back through a number of intermediate sources. For example, the authority of a class president to enforce the class rules can be traced back to the teacher in charge of the class, to the principal who hired the teacher, to the superintendent who appointed the principal, to the board of education which appointed the superintendent, and finally to the people who elected the members of the board of education and gave them the authority to make regulations about how the schools should be run.

What is the ultimate source of authority of the class president?



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Problem Solving

What are the sources of authority?

Each of the selections below deals with a different source of authority. Your class should be divided into four groups to complete this exercise. Each group should read the selection assigned to it, discuss the questions that follow, and select a spokesperson to report the group's answers to the class.

Group 1: The Law of Hospitality

This selection is adapted from *The Story of the Rheingold*, an old folk tale from German and Scandinavian literature. It explains why the hero, Siegmund, could feel safe spending the night at the castle of his sworn enemy, Hunding.

> Hunding had said, "Our custom assures that you will be safe as a guest in my house." This meant that it would be wrong for Hunding to harm Siegmund while he was taking shelter under Hunding's roof. The custom that protected guests, no matter who they were, was called the Law of Hospitality. And just as no host would ever harm a guest, even if the guest was an enemy, no honorable guest would ever take advantage of his host. If Siegmund had run away after Hunding had so faithfully observed the Law of Hospitality, he would have been dishonorable as well as cowardly.

What do you think?

1. What is a custom?
2. How can a custom be a source of authority?
3. What are other examples of authority that have their source in custom or tradition?

Group 2: *Tinker v. Des Moines Independent School District* (1969)

In December, 1965, a small group of students and their parents in Des Moines, Iowa, decided to express their opposition to the Vietnam War by wearing black armbands. The principals of the public schools heard of the plan and adopted a policy specifically prohibiting students from wearing black armbands in school. The Tinker children knew of the school policy and understood they would be suspended if they disobeyed the rule. On December 16 and 17, they wore the black armbands to school. There were no disruptions of classroom activities, no demonstrations, and no threats of violence.

The students were called into the principal's office and asked to remove their armbands. They refused and were suspended until they agreed to attend school without the armbands. Mr. Tinker filed a complaint on behalf of his children claiming that their right to free expression had been violated. He said that the children had not interfered with the rights of other students nor had they disrupted class routine. The school officials argued that they had made the ruling to avoid a disruption of school discipline. Schools, they claimed, were no place for political demonstrations.

The case was eventually heard by the Supreme Court which ruled in the students' favor. The Court claimed that the wearing of armbands was a form of expression that was protected under the First Amendment. In the majority opinion, the Court stated, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."

What do you think?

1. What was the source of authority for the school's policy on wearing armbands?
2. What was the source of authority for the Supreme Court's decision?
3. What is the source of authority for the Constitution?

Group 3: On the Duty of Civil Disobedience"

The selection below is adapted from an essay by the American philosopher, Henry David Thoreau (1817-1862). Thoreau chose not to pay his poll tax as a form of protest against slavery and the war with Mexico; he was arrested and spent a night in jail. A few years later, in 1849, he wrote the now classic defense of individual conscience, "On the Duty of Civil Disobedience."

> Must the citizen ever give up his or her conscience to the legislator? Why does every person have a conscience then? I think we should be human beings first and subjects afterward. It is not desirable to cultivate a respect for the law so much as a respect for what is right. The only obligation I have is to do what is right. Law never made people act justly. In fact, many people who respect the law act unjustly because of it. A common and natural result of an undue respect for law is the following example: you have a line of soldiers–colonel, captain, corporal, privates–all marching in order over hill and dale to wars which are against their common sense and conscience. They have no doubt that the wars are wrong. They are all peacefully inclined. Now, what are they–people or small moveable forts and guns at the service of those in power?

What do you think?

1. What sources of authority does Thoreau write about?
2. How can individual conscience or a personal sense of morality be a source of authority?
3. Is there a higher law than that of the government? Why or why not?

Group 4: The Mayflower Compact

The wind carried the Mayflower to a place in the New World that was further north than had been originally intended. Finding themselves outside of the authority of their original charter, the Pilgrims decided to create their own government. In November, 1620, they drew up an agreement which was signed by forty-one of the men aboard the ship. By the terms of this agreement, known as the Mayflower Compact, the Pilgrims agreed to govern themselves.

In the Mayflower Compact, the Pilgrims decided "there should be an agreement that we should combine together in one body, and submit to such government and governors as we should by common consent agree to make and choose." They agreed that it was best "to combine together into a civil body politic" which would create laws, constitutions, acts, and offices that were thought to be for the general good of the colony. The Pilgrims agreed to follow and obey this authority, which they had created by their mutual consent.

The Mayflower Compact remained in force from 1620 until 1691, when the colony at Plymouth became part of the Massachusetts Bay Colony.

What do you think?

1. What was the source of the authority of the Mayflower Compact?
2. What was the belief underlying the Mayflower Compact about the source of a government's authority to make laws?
3. If some on board the ship had refused to sign, would they have been bound to obey it nevertheless?
4. Since women were not asked to sign the Compact, were they in fact bound by its authority? Were children? Why or why not?

Using the Lesson

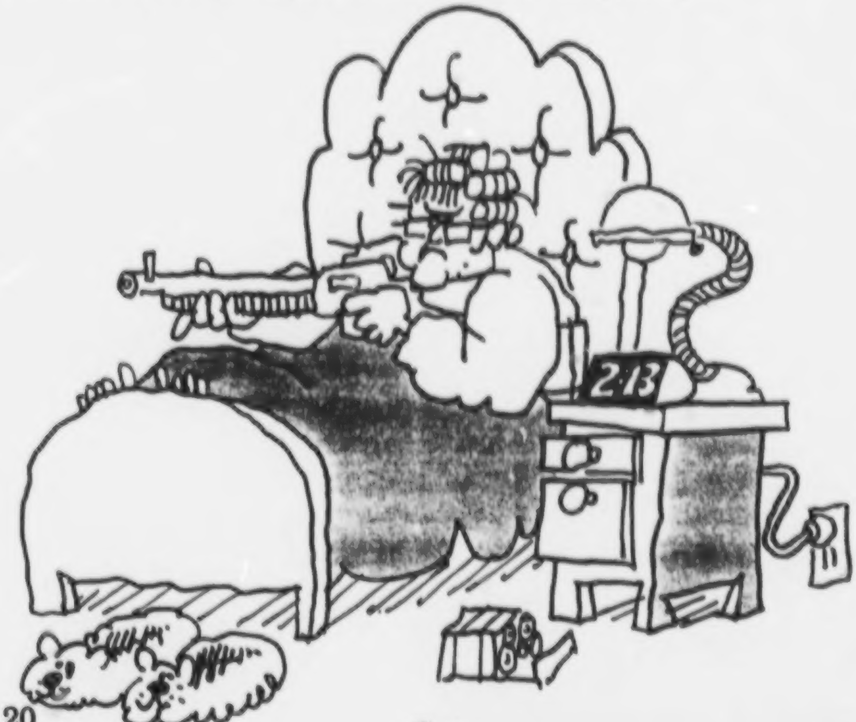
1. In your journal write brief descriptions of three situations from your own experience in which you exercised authority that came from different sources.
2. Consider the authority of a police officer who gives someone a ticket for speeding. Draw a chart that traces the authority of the officer back to its ultimate source. Be prepared to explain your chart to the class.
3. Write an editorial either opposing or defending the position of the Tinker children. Describe the source of authority for their actions.
4. Create a short skit of three to five minutes, showing how a custom can influence people's behavior.

Lesson 3

How Can We Use Authority?

Think of all the rules you follow every day. Then think about all the people in authority who sometimes tell you what to do. It might seem to you that there are too many rules. It may even seem that there are too many people in authority.

But have you ever wondered what might happen if there were no rules and no people in authority? Imagine that you wake up one morning and discover that there is no longer any authority. All rules and laws, police, courts, school administrators, and governments have disappeared.



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What problems might arise?
Would you have any rights?
How would you protect your rights?

Many people have thought about what life would be like without government, rules, and laws. John Locke, an English philosopher who lived in the 17th century, wrote about life in a "state of nature," an imaginary condition in which people lived together without government.

Problem Solving

Do we need government?

After you have read the following essay, adapted from John Locke's *Two Treatises of Government*, answer the questions that follow.

> People are free in the state of nature. But why do they give up this freedom and subject themselves to the authority of government? The answer to this question is obvious: In the state of nature the enjoyment of freedom is very uncertain. People are always open to attacks from others. Life is dangerous and full of fear. That is why people seek out others who share their need for security and join together. They do so in an effort to protect their lives, their liberty, and their property.
>
> In the state of nature there are many things missing to maintain a secure life. First, there is no established system of law which all people have agreed upon and which all people know. And since there is no law, there is no standard of right and wrong which can be used to settle disagreements between people. Second, there is no judge with the authority to settle arguments. Third, there is no person or group of people who have the authority to enforce the law.

So then, this is why people join together under the protection and authority of government. This is why they agree that punishment shall be administered according to the system of rules which the community has agreed upon. This agreement is the source of legislative, judicial, and executive governmental authority.

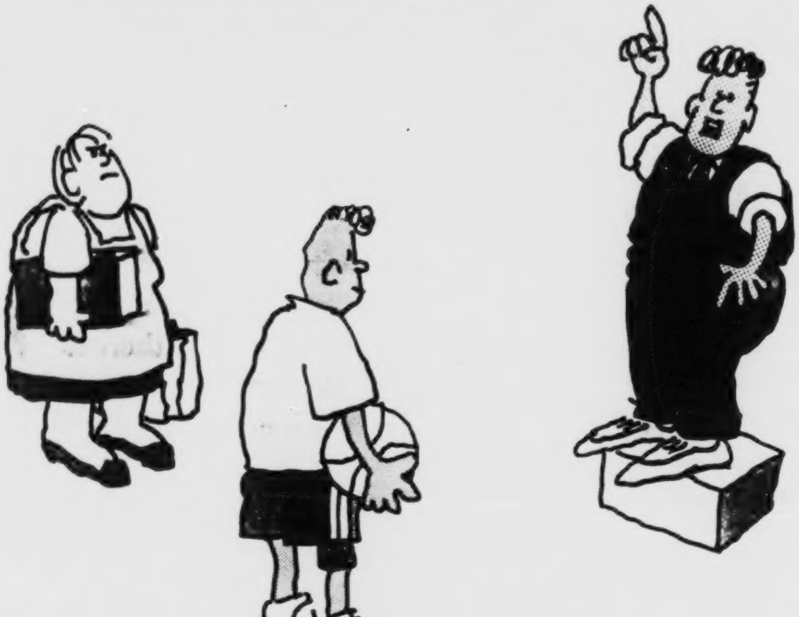
What do you think?

1. According to John Locke, what problems can arise when there is no government authority?
2. What does Locke say is the source of government authority?

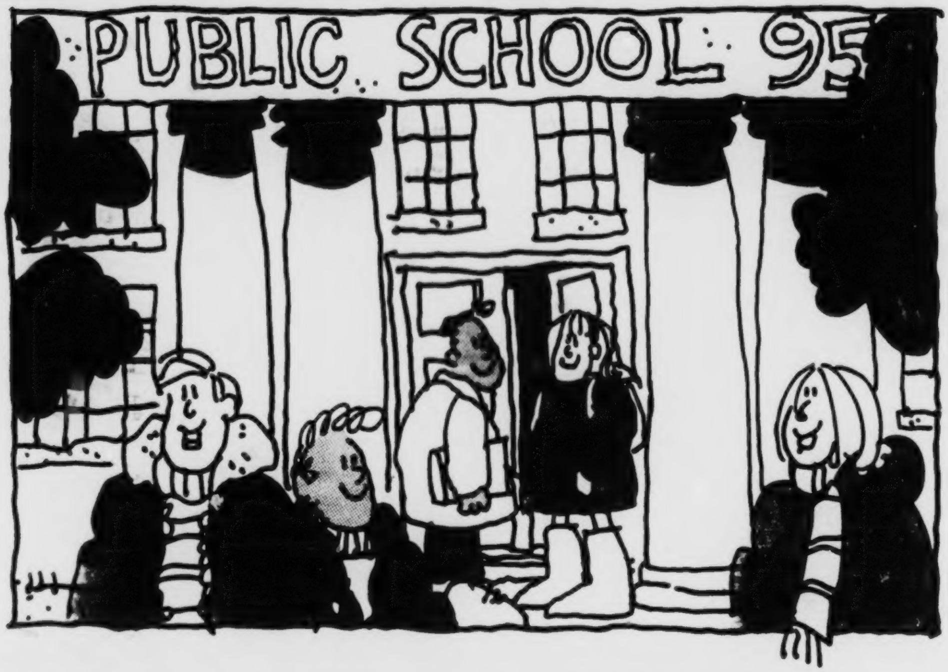
What are the uses of authority?

You have been reading about some problems that may occur if there is no adequate authority. How can authority be used to solve some of these problems? There are a number of important purposes of authority.

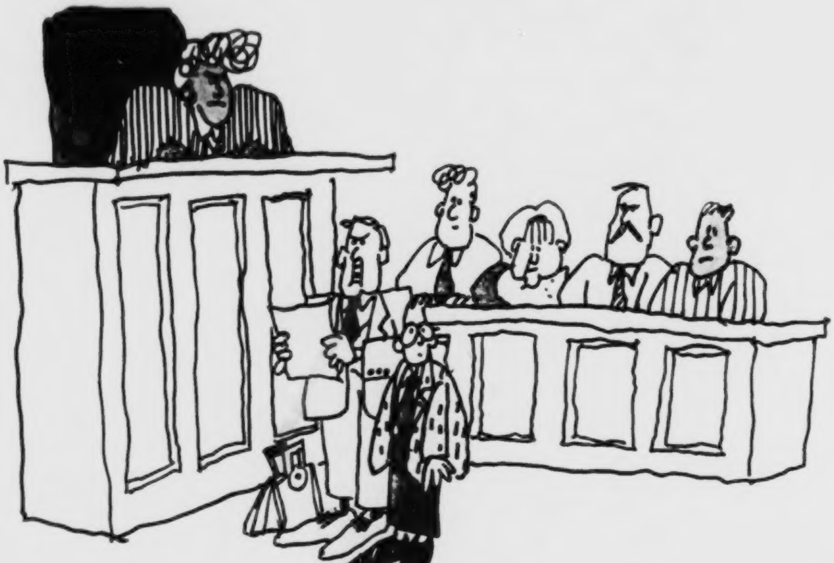
Authority can be used to **protect important rights and freedoms**. For example, the Constitution protects our freedom of expression and belief.



Authority can be used to ensure that resources and burdens will be distributed fairly. For example, our government sees that all children have an equal opportunity to receive a public education.



Authority can be used to manage conflict peacefully and fairly. For example, our judicial system has the authority to provide a fair trial for a person accused of a crime.



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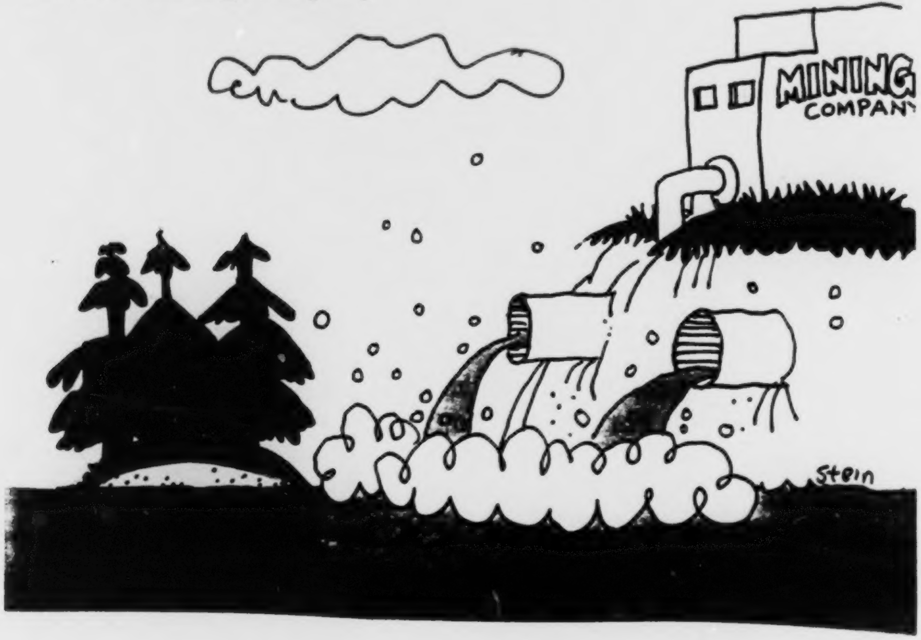
Problem Solving

How was authority used in this situation?

For several years, the Reserve Mining Company of Silver Bay, Minnesota, had been dumping 67,000 tons of taconite waste into Lake Superior every day. In Duluth, Minnesota, sixty miles south of Silver Bay, research by the Environmental Protection Agency (EPA) showed high concentrations of cancer-causing fibers in the drinking water. The drinking water was taken from Lake Superior. The contamination was directly traced to the waste emptied into the lake by the Reserve Mining Company.



In an effort to find a solution to this problem, discussions were held between the Reserve Mining Company and the EPA. When negotiations failed, the case went to court. The EPA asked the court to order the immediate shutdown of the plant until pollution of Lake Superior could be eliminated. The company argued that it would cost too much to obey the pollution control regulations demanded by the EPA. Furthermore, if the plant was shut down, it would put 3,000 employees out of work.

A federal court of appeals eventually decided that the pollution caused by the taconite waste might contribute to cancer. However, the court ruled, it was not an immediate danger. The court gave the Reserve Mining Company three and a half years to stop the pollution of Lake Superior.

What do you think?

1. How was authority used in this case to deal with the problems of pollution and contamination?
2. What problems might have arisen if there had been no effective authority to deal with this situation?
3. In what other ways could authority have been used to deal with the problems in this situation?

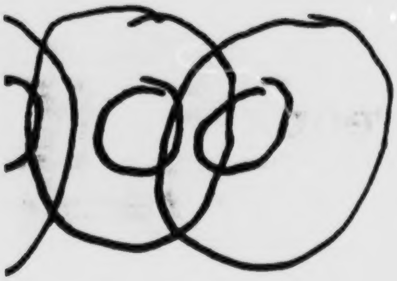
Using the Lesson

1. Consider all your actions today since the moment you woke up until you started reading this assignment. How many of your actions were governed by some rule or law? What was the purpose of each of these rules or laws? Do you think they were necessary? Record your answers to these questions in your journal.
2. Read the newspaper for several days. Keep a list of any problems you read about that happened because there was no effective authority. After you have finished the list, suggest ways authority could have been used to deal with these problems.
3. You have read what John Locke thought life would be like in a state of nature without government or laws. Do you agree or disagree with him? Write a story about what you think your life would be like in a state of nature.

Unit 2

How Can We Evaluate Rules and Candidates for Positions of Authority?

People who exercise authority often have the right to control or influence our lives in many ways. Because these people have so much power, it is important that they be chosen with great care.



In this unit, you will learn some intellectual tools useful in selecting people for positions of authority. You will also study criteria useful in evaluating and creating rules and laws.

Lesson 4

How Should We Choose People for Positions of Authority?

It is important that people in authority be chosen with great care. People who are well qualified to exercise authority can make our lives easier and better. Unqualified people in positions of authority can make our lives difficult and unpleasant.

Different positions of authority call for different qualifications. Someone who is well qualified to be a police officer may not have the necessary qualifications to be a judge. On the other hand, someone who would make an excellent judge might be a poor police officer. When selecting people to fill positions of authority, it is important to consider not only the minimum qualifications needed for the job, but also those qualities people should have to do their jobs well.

The following activity will help you begin thinking about what characteristics a person should possess in order to fill a position of authority.

Problem Solving

What made Susan B. Anthony a successful leader?

Susan B. Anthony, abolitionist, temperance advocate, and, most of all, champion of women's rights, held the strong conviction that women could never achieve their full rights until they had first won the right to vote. A skilled organizer, she played a key role in the passage of the Nineteenth Amendment giving women the right to vote. She was fearless in promoting the cause of women's rights and endured years of opposition and abuse as a result. She was slandered in the press, jeered at by strangers, and was often the target of eggs and rotten fruit while lecturing.

How did Susan B. Anthony's leadership skills help win the vote for women?

Born in 1820, Anthony grew up in a Quaker home and was a bright, independent child. She was well-educated and spent a number of years teaching. Her interests, however, lay in other areas, and she soon became deeply involved in the moral crusades that would absorb her time and energy in the years ahead. In an age when women were expected to have no role outside the home, she used her intelligence, determination, and organizational skills to further the causes in which she believed.

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Discouraged by the limited role women were allowed in the temperance movement, she helped found the Woman's State Temperance Society of New York. She also served as an agent for the American Anti-Slavery Society. Her prime concern, however, was to further the rights of women. Anthony was one of the foremost leaders in the movement for woman suffrage, and in 1892 was elected president of the National American Woman Suffrage Association.

In November, 1872, Anthony was arrested while attempting to vote in the presidential election, and a few months later, compounded her crime when she tried to vote in a city election. Although she was convicted, she refused to pay the fine. Neither public ridicule nor the fear of jail could deter her commitment to the cause in which she so fervently believed.

Anthony was instrumental in organizing international woman suffrage associations, helped compile and publish a history of the suffrage movement, and was a tireless speaker throughout the country on the subject of women's rights. When she died in 1906, only a few years before her dream of woman suffrage became a reality, Susan B. Anthony had been the foremost leader of woman suffrage in the United States for over half a century.

What do you think?

1. What were the responsibilities involved in fulfilling a position of authority in the woman suffrage movement?
2. What characteristics did Anthony have that helped make her a successful leader?

How should we choose someone for a position of authority?

In the preceding activity, you listed some responsibilities of a position of authority and those characteristics necessary to do the job well. You will often have the opportunity to select people for positions of authority. In order to make wise choices, you will need some "intellectual tools." Just as there are tools with which to repair a car or bake a cake, there are tools of the mind with which to examine issues of authority.

"Intellectual tools" include a variety of ideas, observations about society and our roles within it, and sets of questions that are useful in analyzing situations and reaching decisions. Here are some intellectual tools you can use when deciding if someone is qualified for a particular position.

What are the duties, powers, privileges, and limitations of the position?

Before you can decide how well qualified a person is for a position, you must first consider what the job involves.

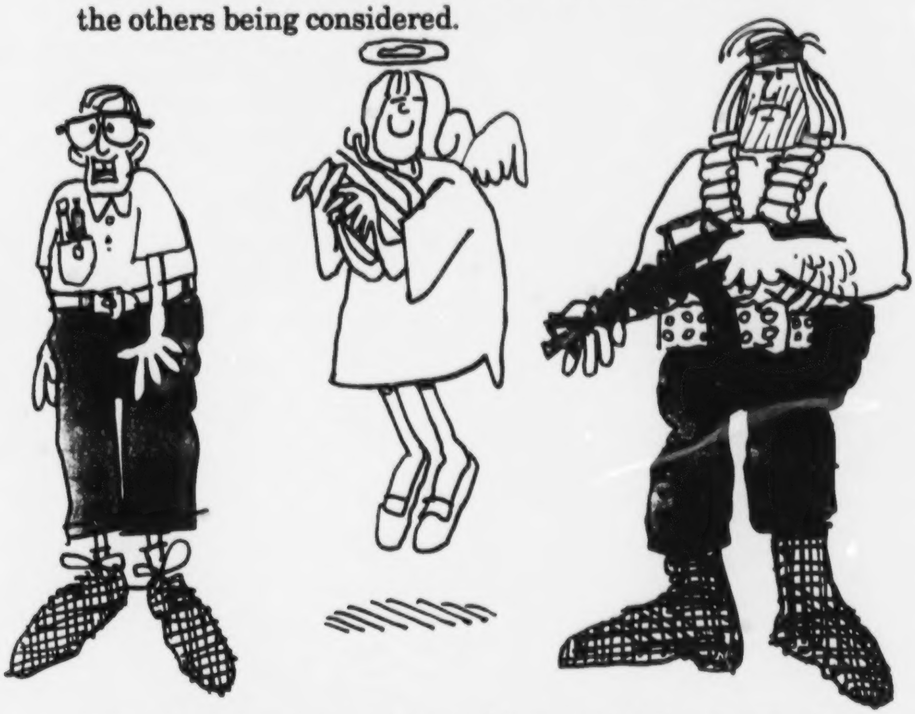
What characteristics should a person have to be selected for the position?

The characteristics for a particular job should allow the individual to fulfill the duties and powers of that position and to do the job well. Depending on what the position is, some characteristics that might be important include the following:

specialized knowledge or skills
physical capacity
impartiality
integrity
intelligence
diligence
reliability
courage
ability to work with other people
sensitivity to human needs and rights

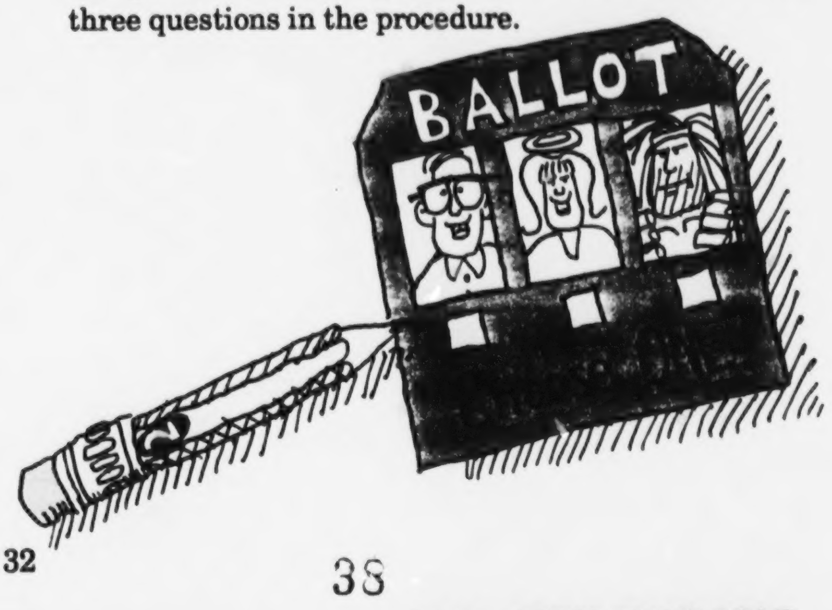
What are the strengths and weaknesses of the persons being considered for the position?

Answering this question involves doing some research on the various candidates for a position. Each person's characteristics should be compared with the qualities needed for the job, as well as with the characteristics of the others being considered.



Which person would best fill the position? Why?

You should be able to explain the basis for your selection using the information gained from answering the first three questions in the procedure.



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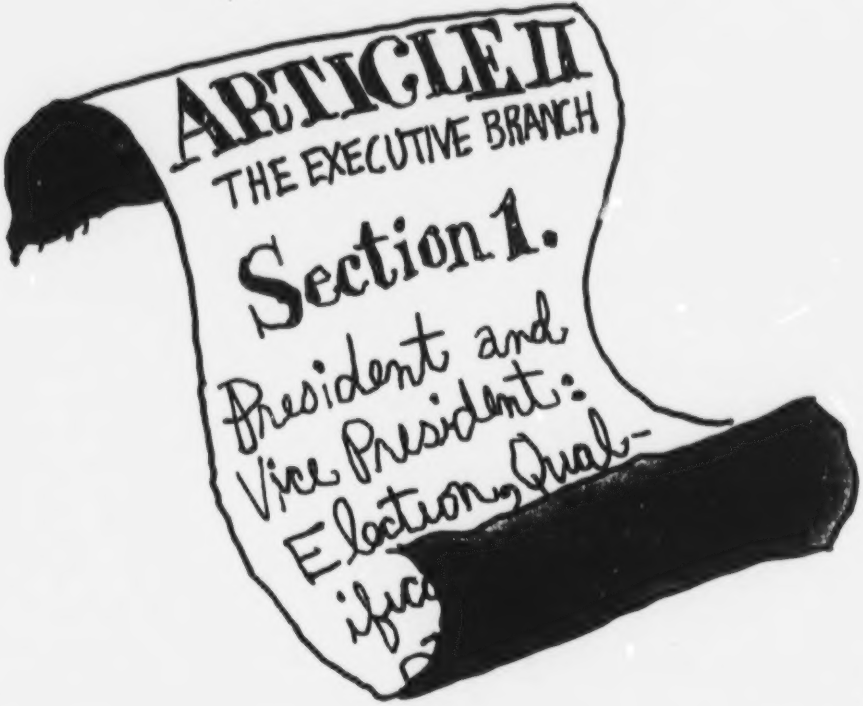
Problem Solving

What characteristics should the president have?

The following activity will provide you an opportunity to apply the procedure you have just learned. Working in small groups, read the job description for the position of president of the United States. Then work with your group to list some of the characteristics a person should have to fill the position of president and perform well in that office.


ARTICLE II
THE EXECUTIVE BRANCH
Section 1.
President and Vice President: Election, Qual-ific

Duties and Powers. The president has the duty or power to
give Congress periodic information on the state of the Union
make sure that the laws of the land are faithfully executed
command the armed forces
appoint judges to the Supreme Court
appoint the heads of the executive department
appoint the diplomatic representatives of the United States
make treaties with other nations
veto congressional legislation

Privileges. The president has the following privileges:

receives a substantial salary and expense allowance
uses special air and transportation facilities
lives in the White House and has the use of Camp David
receives protection by the Secret Service
receives the assistance of the Cabinet and other members of the executive department
receives free medical care

Limitations. The president may not

serve more than two terms of office
engage in treason, bribery, or other high crimes and misdemeanors
engage in actions that are prohibited by the Constitution

What do you think?

1. What characteristics should a person have to be selected for the position of president?
2. Think about the characteristics you identified for Susan B. Anthony that qualified her to lead the woman suffrage movement. What similarities do you see between those characteristics and the ones you have identified for the presidency? What characteristics are different?

Using the Lesson

1. Choose a television program that shows someone in a position of authority. Write down the duties, powers, privileges, and limitations of the position. Then describe the characteristics of the person in that job that qualify him or her for the position. Explain whether or not you would select this person for the position.
2. Think of a position of authority you might like to serve in some day. In your journal, write a short description of the position, the characteristics someone should have to do it well, and explain what might qualify you for the job.

Lesson 5

Who Would You Select for This Position of Authority?

In this lesson, you will be given an opportunity to consider different candidates for a position of authority. You will be responsible for selecting a person to serve in your state legislature. Your class will enact a press conference in which four candidates for the state legislature will be questioned by reporters. To begin preparing for this exercise, read the description of Middletown and the "Memorandum to the People of Middletown." Then follow the instructions for conducting the press conference that follow the memorandum.

Middletown

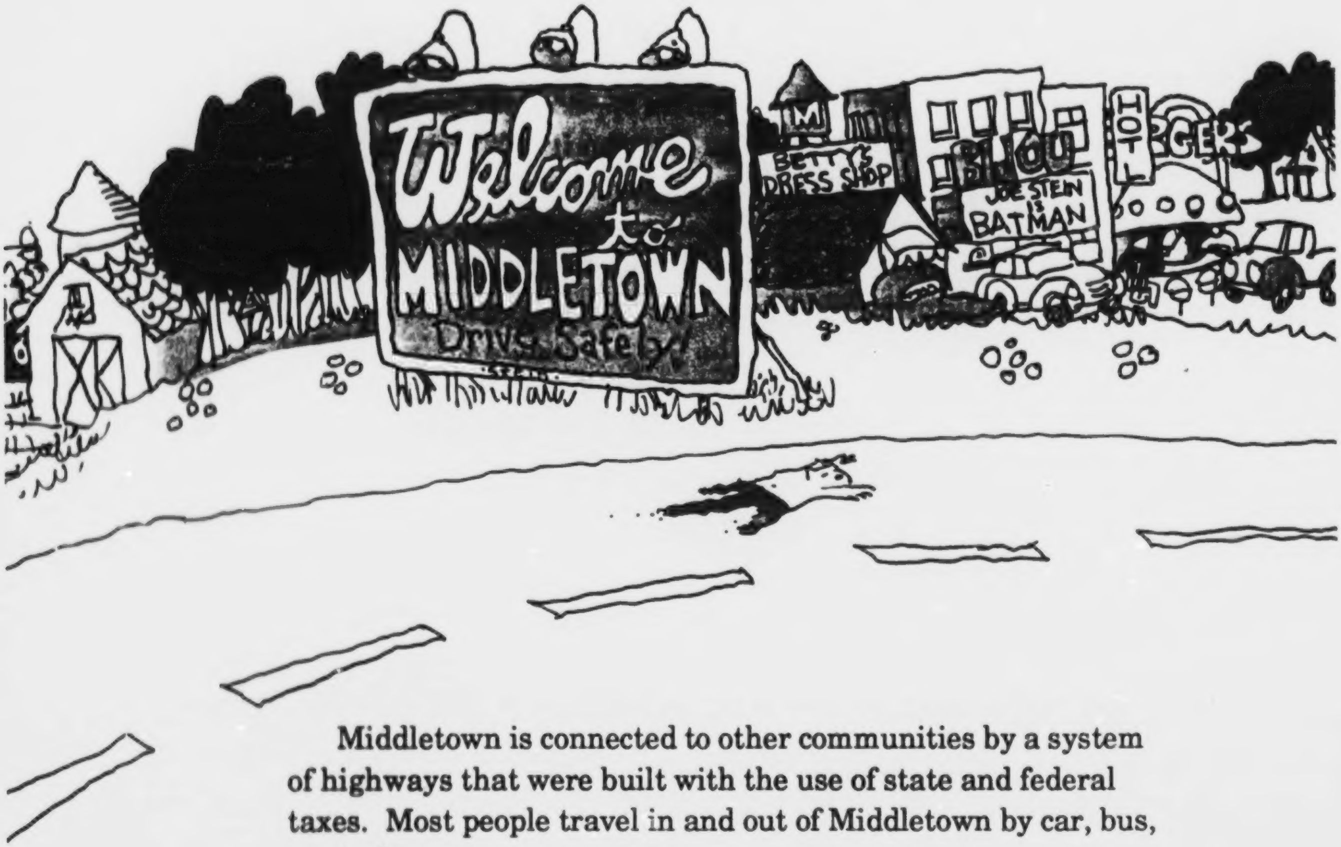
Middletown is a small city located in the prairie region of the United States. In the early days, most people in the area lived and worked on farms. Today, although some people still farm, most live and work in the city.

The city's largest industry is a cement plant located on the edge of town. Other industries that produce goods manufactured from cement are found nearby and provide jobs for many of the people who live in Middletown.

The central city is much like any other. Some people work in stores and shops, and others are employed in a wide variety of offices. Most of the stores are small businesses that are owned and run by people who live in town.

Middletown has three elementary schools, one junior high, and one high school. These schools are attended by students from the entire county. A new hospital has just been built by the county government, with some help from the state.

Two parks are located within the city limits and a state park is located just a few miles away. In the winter, the parks are good places for tobogganing and ice skating; in summer, they are used for picnics, swimming, and baseball.



Middletown is connected to other communities by a system of highways that were built with the use of state and federal taxes. Most people travel in and out of Middletown by car, bus, or airplane.

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Middletown has a city government. Every four years the people elect a mayor and a city council to provide the local government that the city needs. The voters of the county also have the right to elect a representative to the state legislature every two years. The state legislature has the authority to perform a number of duties, including the following:

Levying taxes. The legislature has the authority to tax personal incomes and place a sales tax on some items which people buy.

Deciding how tax money will be spent. The legislature has the authority to decide how to spend the state's tax money. In the past, tax money has been spent for such things as schools, state highways, state parks, wildlife preserves, dams, and water systems. It has also been used to aid farmers and people who are poor or disabled.

Passing new legislation. The legislature has the authority to make or change the laws of the state. Members of the state legislature pass laws, for example, that define what actions will be considered crimes; that govern the owning, licensing, and driving of automobiles; that regulate the qualifications necessary for certain professions; and that concern what schools should teach.

Deciding on minimum wage levels and employee benefits. The legislature has the authority to decide what shall be the minimum hourly wage rate, and what exceptions, if any, are allowed. It can also decide what kinds of benefits employers must provide for their workers. These benefits include paid sick leave, maternity leave, and payment for injuries that happen on the job.

Memorandum to the People of Middletown

FROM: THE LEAGUE OF VOTERS

SUBJECT: NEXT WEEK'S ELECTION

Since we feel next week's election is an important one, we have prepared the following information for your consideration. We hope you find it helpful when choosing among the candidates.

Our legislator has the duty and power to	**In order to fulfill these duties and powers, our legislator should**
1. attend meetings of the state legislature,	1. be reliable, attend as many meetings as possible, and be at meetings on time,
2. serve on committees,	2. work well with others and be able to compromise, bargain, and persuade,
3. work for the good of all the people of Middletown,	3. know the interests of all the people and be willing to work for the good of everyone,
4. give fair consideration to the needs and interests of other communities in the state,	4. be fair when the interests of Middletown conflict with the interests of other communities,
5. propose new laws,	5. be skilled in creating and writing new laws,
6. vote on proposed new laws,	6. consider the welfare of all the people of Middletown and the rest of the state,
7. conduct and participate in hearings.	7. be well prepared, open-minded, a good listener, and good questioner.

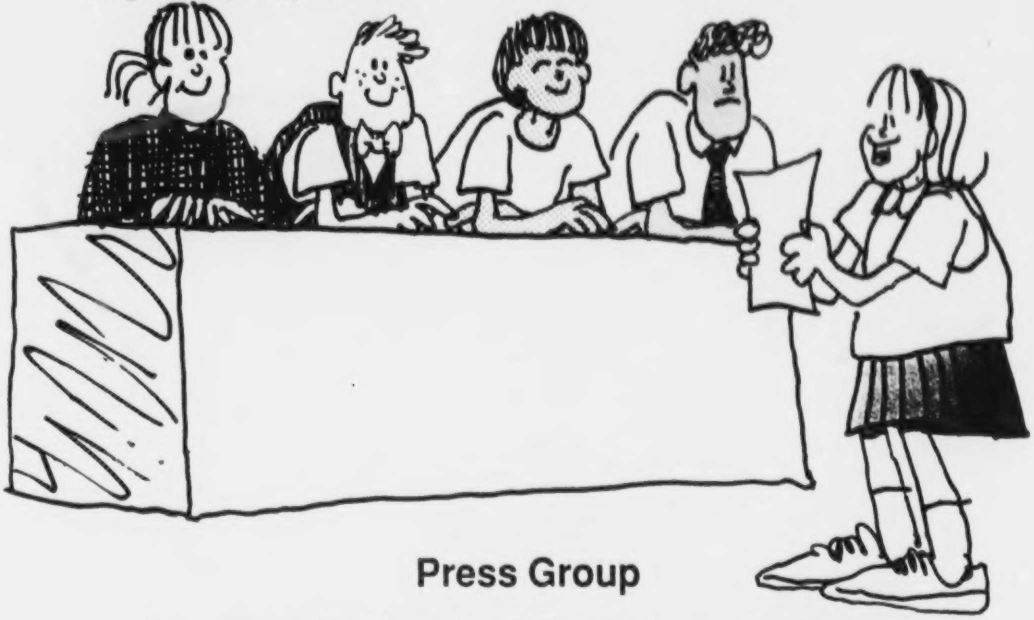
As privileges of office, our legislator is entitled to	In order to receive these privileges, our legislator should
1. receive an income of $45,000 per year,	1. be diligent and devote the necessary time to earn the salary for the position,
2. not be sued for libel or slander for anything said while on the floor of the legislature,	2. speak with good taste and discretion,
3. not be prosecuted for minor crimes (such as traffic violations) while the legislature is in session.	3. obey the law.

As limitations of office, our legislator cannot	In order to fulfill these limitations, our legislator should
1. hold or be paid for other jobs while serving as a legislator,	1. be honest and trustworthy and refuse money for outside work,
2. vote on bills in which there is any conflict of interest,	2. avoid voting on bills in which he or she has any personal interest,
3. work to pass laws that are prohibited by the Constitution of the United States or the constitution of our state.	3. know and support the basic principles of both the U.S. and the state constitutions.

Instructions for Conducting the Press Conference

Your class should be divided into five groups. One group will represent the press. Each of the other groups will represent one of the four candidates for the office of state legislator. Each group should follow the directions below to prepare for the press conference.

Students should follow a "meet the press" format in which the press faces the four candidates. After each candidate has had the opportunity to make an opening statement, members of the press will have the opportunity to ask questions. Other members of each candidate group may assist their candidate in responding to questions.



Press Group

Your group should read and discuss the candidate profiles that follow. List the strengths and weaknesses of each candidate. To assist you in doing this, refer back to the description of Middletown. You should also look again at the memorandum which outlines the responsibilities of a state legislator and the characteristics which a person should have to fill that position.

Prepare a list of questions to ask each candidate. You will have about five minutes to question each candidate after he or she has presented an opening statement of three to four minutes. Your questions should be probing, asking the candidates about their ability to fulfill the responsibilities of the position.

Select a chairperson to conduct the press conference. The chairperson will explain to the candidates the procedure that will be followed. The chairperson will also moderate the discussion period after each candidate's opening statement. Note that other members of each candidate group can assist their candidate in responding to questions.

Candidate Groups

Your group should read and discuss the profile of your candidate which follows. List your candidate's strengths and weaknesses. To assist you in doing this, refer to the description of Middletown and the "Memorandum to the People of Middletown."

Your group should then choose one member to play the role of the candidate. Help that person get ready for the press conference by preparing a short opening statement in which your candidate will try to convince the press that he or she has the characteristics required to perform the job well. The group should also help your candidate rehearse answers to possible questions from the press, remembering to stress why he or she is the best candidate for the position. Other group members will be allowed to assist the candidate in the question-and-answer period.

Candidate Profiles

Jack Morgan

Background: Jack was born and raised in Middletown. He is married with three grown children. Jack's wife, Sue, works in the General Clothing Store on Elm Street.

Employment: Jack has worked in the cement plant since he was seventeen and has now advanced to the position of foreman. Jack was one of the first workers to join the union; later, he helped to get other workers at the plant to join. Some say he is largely responsible for union workers getting higher pay and more benefits.

Position on the issues: Jack believes the minimum wage for workers is still too low and that they need more benefits (such as a better medical plan). He also thinks the state should pass a law requiring that more of these benefits be paid by the employer.

Jennifer Brown

Background: Jennifer was born in Middletown, but when she was young, her family moved to a nearby town. She went to the state university to study law, received her degree, and then returned to Middletown to open a law office.

Employment: Jennifer is one of three lawyers who practice in Middletown. She handles all kinds of cases. When workers were first organizing a union, Jennifer worked to protect their rights. Later, when the union made demands for higher wages and greater benefits, she was hired by industry to argue their side of the issue. Jennifer is a member of the State Bar Association and the Chamber of Commerce.

Position on the issues: Jennifer is interested in problems on both the local and state levels. She believes that her experience in practicing law will help her be an effective legislator. She also thinks that laws controlling industrial pollution are neither fair to industry nor effective in protecting the environment. She would like to improve these laws.

Patricia Swain

Background: Pat was born and raised in Middletown. She is married, has one child, and has been active in the PTA and in women's groups.

Employment: Pat has been a teacher of American history and government at Middletown High School for eleven years. She has been head of the social studies department for the past four years. She is popular with the students and respected by other teachers. Pat is a member of the Social Studies Teachers Association.

Position on the issues: Pat believes that more state support for public education is needed. She thinks that schools would be improved if teachers were paid more and classes were smaller. She is concerned with environmental pollution, especially from the local cement plant, and thinks there should be strict state laws to control pollution. She also believes there should be more money spent on welfare programs.

William "Bill" Meyers

Background: Bill is married and has three children who are still in school. He and his wife were born on farms in a nearby county. Bill and his family love the parks and lakes around Middletown.

Employment: When he graduated from high school, Bill began working in the Cement Block and Pipe Company. He has been manager of that company for ten years and is considered a good and efficient manager. Bill is past-president of the Chamber of Commerce and the Middletown Fish and Game Club.

Position on the issues: Bill thinks workers' salaries and benefits should be agreed upon between employers and employees without being regulated by the state. He does not favor increased spending for welfare; he believes local charities should take care of such needs. He feels that the state should spend more money on wildlife preserves and state parks.

How will you vote?

After the press conference, your class should conduct a mock election to select a person to fill the position of state legislator. The following questions should be considered when voting:

1. What are the strengths and weaknesses of each of the candidates who is running for the office?
2. Which candidate do you think is best qualified to be a state legislator? Explain the reasons for your choice.

Using the Lesson

1. Pick a candidate for state legislator other than the one selected by your class. Write a letter to the editor of the Middletown newspaper defending your choice of candidate for the legislature.
2. Compare the candidates during the last presidential election in terms of the criteria you have learned in this unit. Write a script for a 30-second television ad for the candidate of your choice.

Lesson 6

What Should Be Considered in Evaluating Rules?

Most positions of authority have something to do with rules and laws. Some people in authority make rules, others enforce them, and still others settle arguments over the meaning of rules and decide what to do with people who have disobeyed them.

Think about how important rules and laws are in your life. Because of their importance, we need to be sure that the rules we follow are well designed. Some people believe that just because a rule exists, it must be good or serve a useful purpose. Obviously, this is not always the case. Rules can have many things wrong with them. In this lesson you will be introduced to some intellectual tools that can help you evaluate rules and learn what makes a well-designed rule.

What do you think might happen if a rule is not well designed?

What criteria would you use for evaluating a rule?

Problem Solving

What is wrong with these rules?

There is a problem or a weakness with each of the following rules. As you read each one, write down what you think is wrong and why.

1. To promote health and fitness, a new federal law allows only those citizens weighing 145 pounds or less to vote in presidential elections.

2. No person shall, may, or will, unnecessarily, or without cause, fustigate another person's cranial orb or any other segment of his corporeal being, whatsoever.

3. All students must eat 28 hamburgers for lunch every day.

4. A new law says that persons caught in the act of theft will not have a trial or hearing. Instead, they will be immediately sentenced to five years in prison.

5. To qualify for voting, all citizens must have a college degree.

6. Police and other government officials may search a person's home whenever they feel it is necessary.

How can you evaluate a rule?

As a citizen in a democracy, you will have many opportunities to vote for rules and laws either directly or through your elected representatives. To help you make wise decisions, it is useful to have some intellectual tools. Here is a set of questions and considerations that you can use when evaluating rules and laws.

What is the rule to be evaluated?

What is the purpose of the rule?

Is a rule necessary or are there better ways to achieve the same purpose?

What might be the effects of the rule?

What are the strengths and weaknesses of the rule?

In identifying the strengths and weaknesses of a rule, it is helpful to have a list of characteristics of a well-designed rule. A good rule should, for example, be

well designed to achieve its purpose,
clear and understandable,
possible to follow,
fair, and
designed so that it does not interfere unnecessarily with other values, such as privacy, freedom, and individual dignity.

Should the rule be kept as it is, changed, or eliminated?

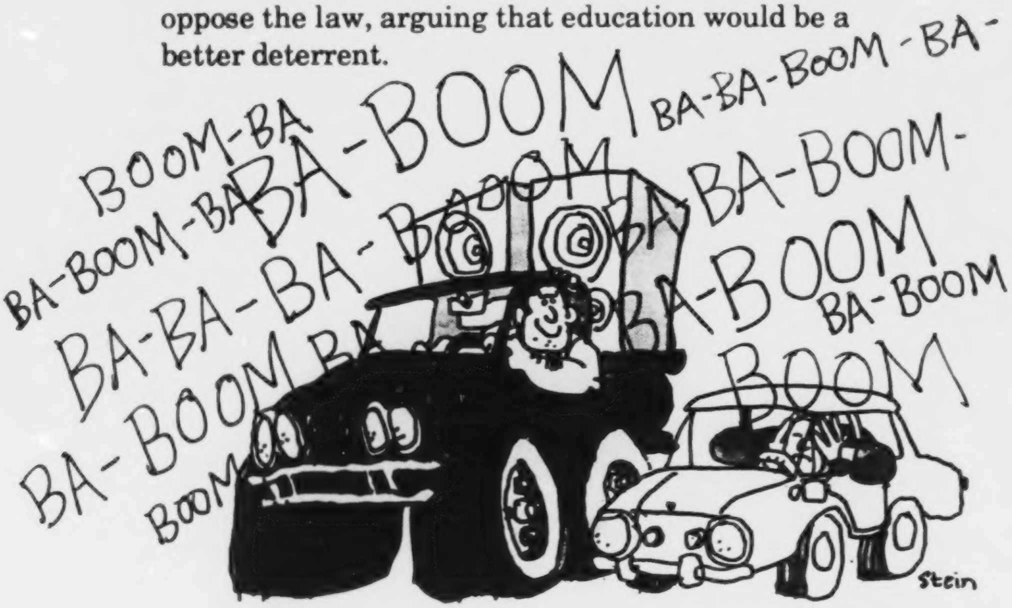
You should use the information you have gained in answering the above questions to reach a decision about what to do with the rule under consideration. You should be able to explain your position and the reasoning you have used.

Problem Solving

How would you evaluate this law?

You have just learned some important tools for evaluating rules and laws. The following activity will give you an opportunity to use these tools. Working in small groups, read the story below and the questions that follow. Be prepared to share your answers with the class.

> As radio technology has advanced, super-amplified car stereo systems have been developed that are capable of blasting music at ear-splitting levels. Frequently drivers with such stereo systems play them at full volume and the noise distracts other drivers. To combat this problem, the governor signed a law which makes it illegal to operate any vehicle sound system that can be heard outside the vehicle for more than fifty feet. Offenders are subject to a $50 fine for the first violation and higher fines for subsequent offenses.
>
> Reaction to the new law has varied considerably. Police and sheriff's departments support the measure, claiming that issuing a citation and a fine will deter the high-volume sound abuse that now occurs. Manufacturers of the high-powered stereo systems oppose the law, arguing that education would be a better deterrent.



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What do you think?

1. What is the law to be evaluated?
2. What is the purpose of the law?
3. Is a law necessary or are there better ways to achieve the purpose? Explain your answer.
4. What might be the effects of the law?
5. What are the strengths of the law? What are its weaknesses?
6. Should the law be kept as it is, changed, or eliminated? Why?

Using the Lesson

1. Think of a problem that exists at your school. Get together with a group of your classmates and develop a rule to help deal with that problem. Present the problem and your rule to the rest of the class. Discuss your rule, using the procedure to evaluate rules you have just learned.
2. Look at newspaper or magazine articles and find one about a rule that interests you. It can be in government, business, sports, or any other area. Evaluate this rule using the intellectual tools you have learned and write an editorial supporting your position.

Lesson 7

How Would You Create a Law?

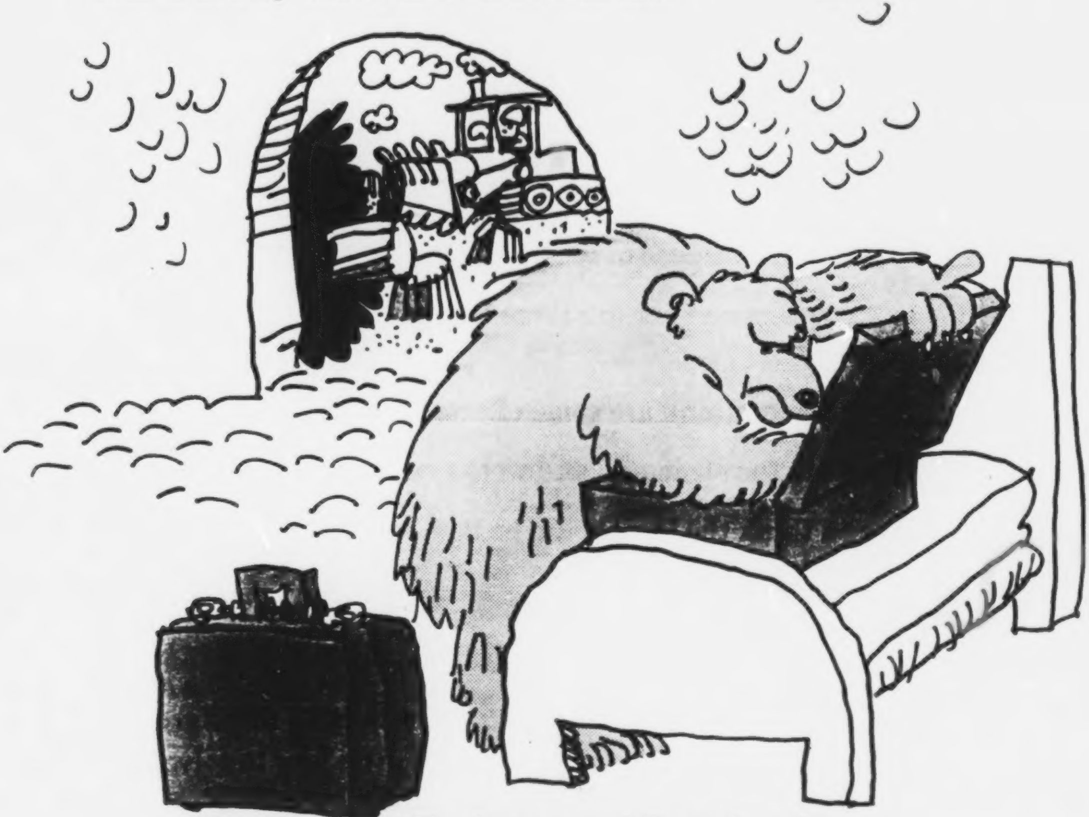
In this lesson, you will be given an opportunity to take part in an imaginary debate in the United States Senate. You will consider a problem that is before the Senate, help develop a bill to solve this problem, and try to convince other senators that your bill is the best solution to the problem.

The Problem

Imagine that you are a member of the United States Senate. You learn that various species of fish, wildlife, and plants have become extinct in the United States. In addition, certain other species have become so few in number that it is likely they will also become extinct if action is not taken quickly.

This situation has occurred for several reasons. First, there have not been adequate laws to protect the endangered species from hunters and collectors. Second, urban industrial growth has taken place without concern for the protection of plants, fish, and wildlife. Third, the use of dangerous pesticides in agriculture has destroyed certain plants and animals.

You and the other members of Congress have the duty and the power to make new laws and change old ones. You begin to think about the kind of law that might help solve the problem of endangered species. One of your first steps is to see what laws already exist that might help deal with the problem. You find there is a law called the Federal Endangered Species Law. Your next step will be to evaluate this law.



The Federal Endangered Species Law

Purpose: The purpose of this law is to provide a program for the conservation of endangered species of fish, wildlife, and plants in the particular locations in which they are found.

With regard to the animals specified in this law (the specific animals are not listed here), it is a federal crime to

(a) import any such species into, or export any such species out of the United States,

(b) possess, deliver, carry, transport, or ship by any means whatsoever, any such species, and

(c) sell or offer for sale any such species.

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Among the penalties provided under the federal law, any person who knowingly violates this law may be fined up to $10,000 for each violation.

Evaluating the Endangered Species Law

Read the questions below and share your answers with the rest of the class.

1. What law is to be evaluated?
2. What is the purpose of the law?
3. Is a law necessary or are there better ways to achieve the purpose?
4. What do you think are some effects of the law?
5. What are the strengths and weaknesses of the law?
6. Do you think the law should be kept as it is, changed, or eliminated? Why?

Positions of Senatorial Groups

Your class should be divided into the following three groups of senators, each taking a different position on how to solve the problem of endangered species.

Group 1: Senators who believe the national government has a major responsibility

You believe that the federal government should assume a major role in helping to solve the problem of endangered species. You think the national government should set general policies and provide funds, and local governments should be required to cooperate with the federal programs. You also think that educational institutions should teach methods of saving our wildlife. You are willing to reduce other parts of the budget to pay for the endangered species program.

Group 2: Senators who believe the national government has only a limited responsibility

You think that the federal government should not take the main responsibility for dealing with the problem of endangered species. You believe that each state should maintain its own ecological balance and that tax money should be spent on other more urgently needed programs rather than on wildlife conservation. You also recognize that hunting and fishing bring considerable income to certain states. You feel that if the federal government made policies concerning wildlife preservation, it would hurt those states that depend on income from hunting and fishing.

Group 3: Senators who favor a compromise

You agree with parts of each of the other two groups' positions. You think the states should act to protect their wildlife. On the other hand, you feel the federal government should play a more active role. For example, you believe that federal laws are needed to prevent the sale of wild animal products (such as fur coats) that require the death of the animal. You also think that both the federal and state governments should share the responsibility and the cost of protecting wildlife.

Developing a Bill

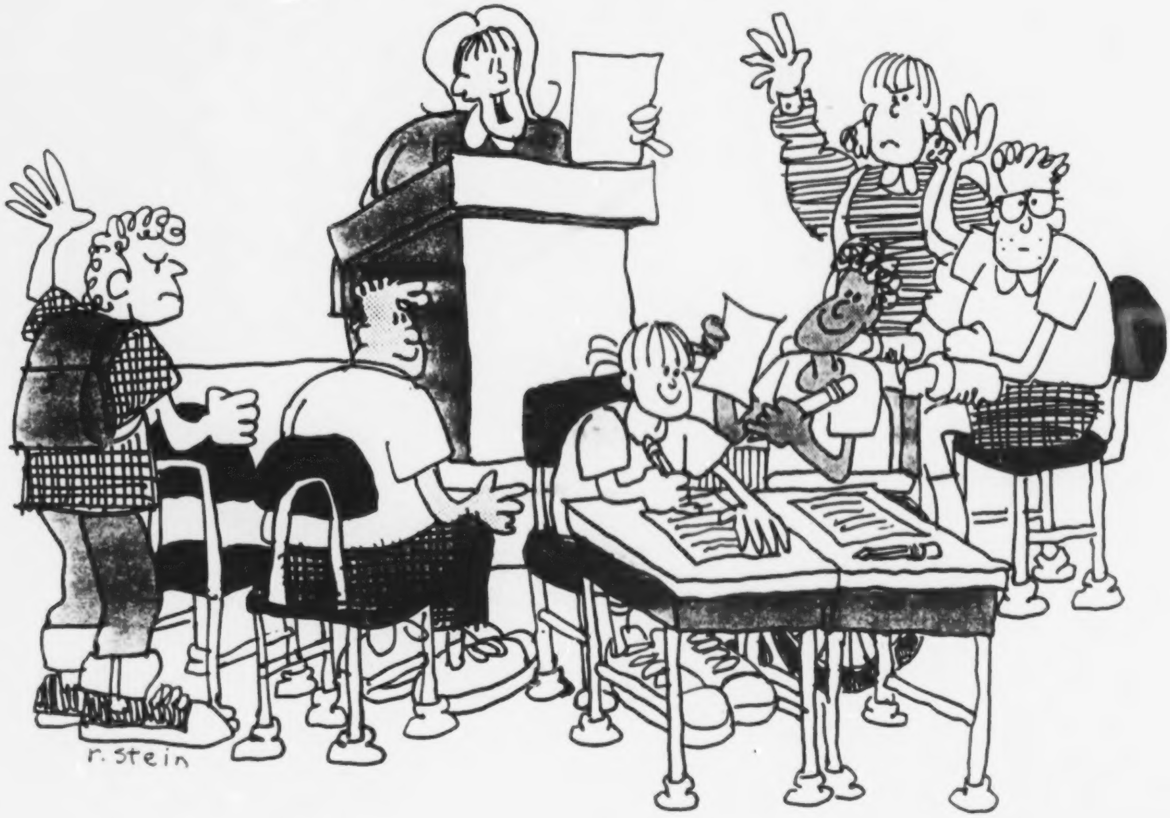
Each group should begin by selecting a spokesperson and recorder. Then each group should develop a bill that represents its position on how to solve the problem of endangered species. The bill should be evaluated by developing answers to the following questions.

What is the purpose of your bill?
Do you think there are better ways than making a law to achieve the purpose? Explain.
What effects would you expect your bill to have if it became law?
What are the strengths and weaknesses of your bill?
Why do you think your bill should be passed?

Directions for a Senate Debate

1. The class should select a person to serve as president of the Senate who will chair the proceedings.
2. Each group will have three minutes to present its bill to the Senate. After each presentation, other senators may question or criticize the bill presented. Members of the group creating the bill may respond to these criticisms.
3. Each group may then amend its bill, if necessary, to win votes, or a compromise bill may be developed and presented.
4. After debate has been completed, the Senate should vote on the bills before it. The following questions should be considered when voting.

   What is the purpose of each bill?
   What would be the effects of each bill if it were passed?
   What are the strengths and weaknesses of each bill?



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CLAP
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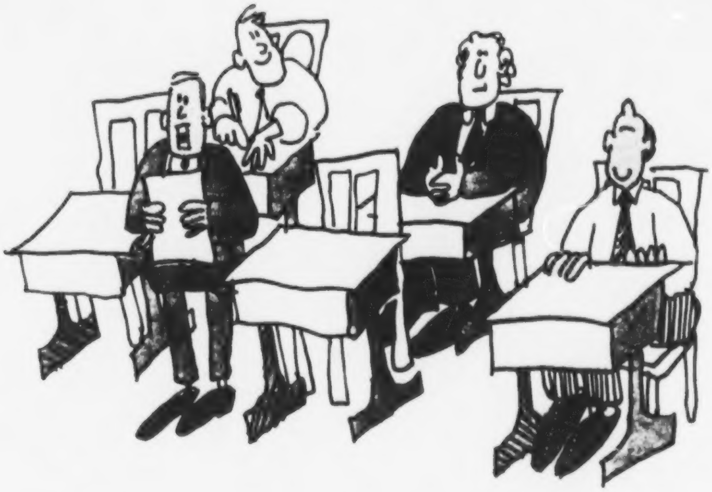

Using the Lesson

1. Did you agree with the class decision? Why or why not? Write a short essay in your journal describing your reaction to the Senate debate and vote. Discuss your views as to what type of law would best deal with the problem of endangered species.

2. Choose a bill that is presently before your state legislature or that is being considered in Congress. Evaluate the proposed legislation in terms of the criteria used in this lesson. Write a letter to your representative urging that he or she support your position on the bill.

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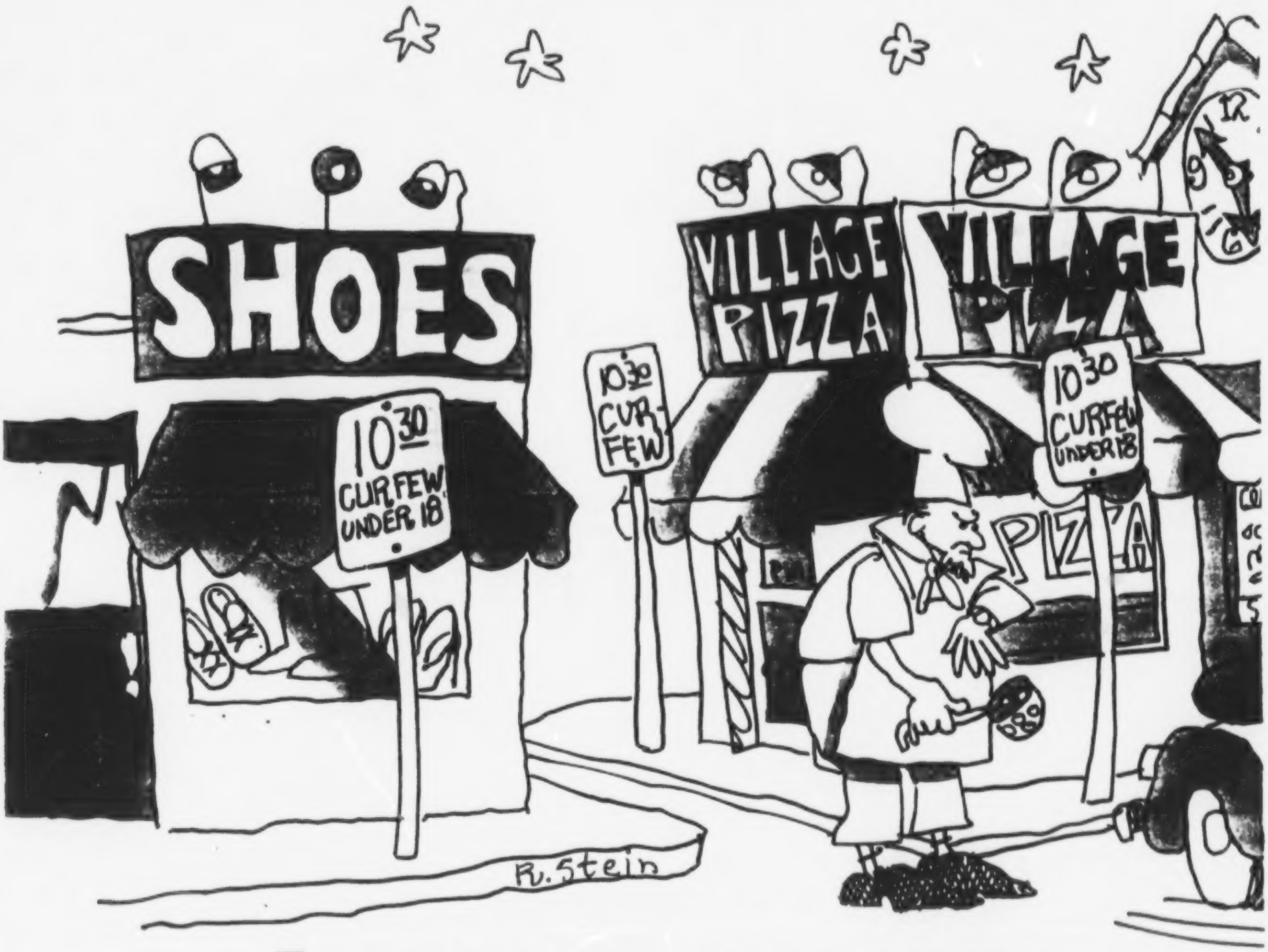
Unit 3

What Are the Benefits and Costs of Authority?


SHOES
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VILLAGE PIZZA
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VILLAGE PIZZA
10 30 CURFEW UNDER 18
PIZZA
R. Stein

Every use of authority brings with it certain consequences. We need to be able to decide if these consequences are benefits (advantages) or costs (disadvantages), both for us as individuals and for society as a whole.

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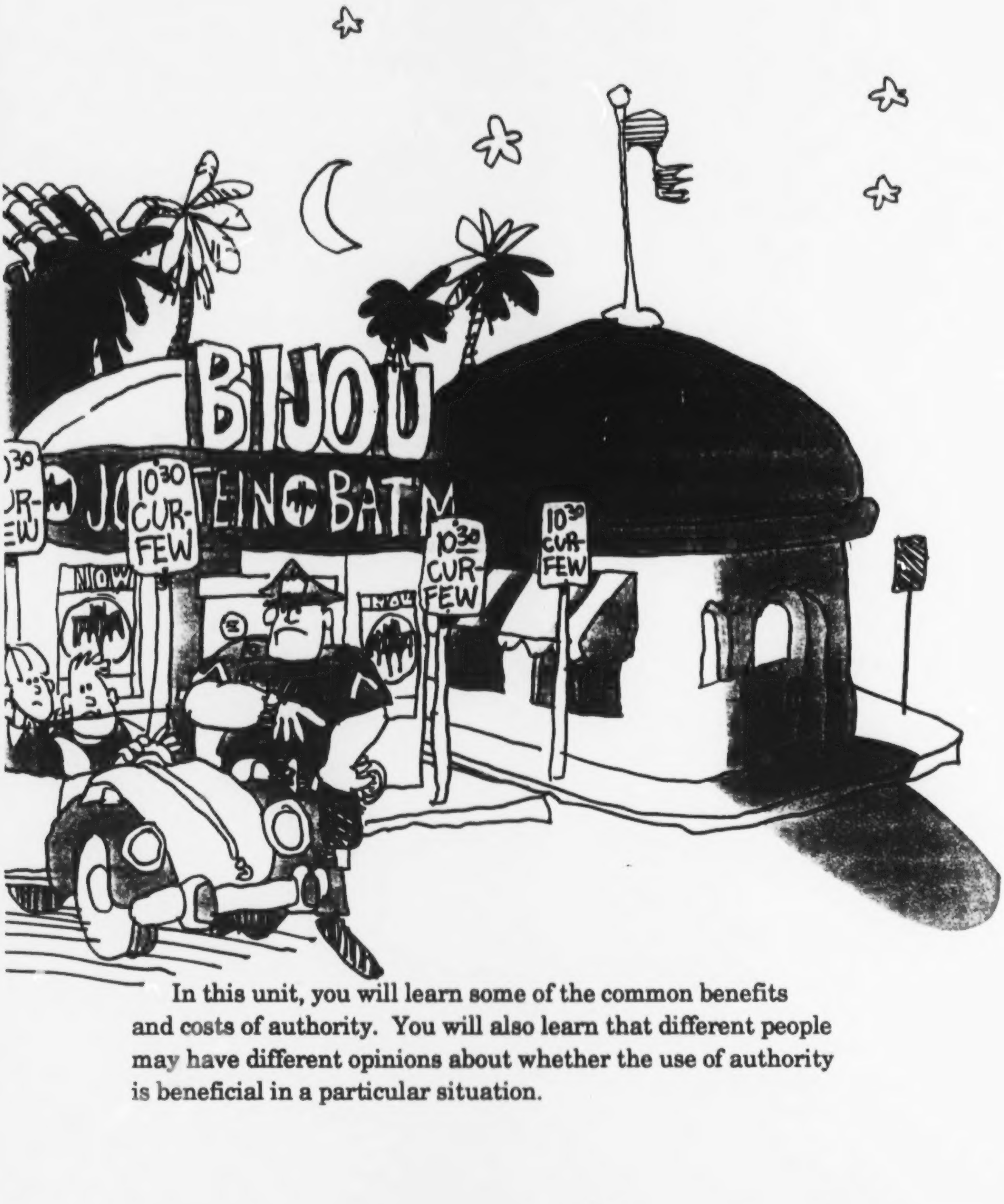

BIJOU
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In this unit, you will learn some of the common benefits and costs of authority. You will also learn that different people may have different opinions about whether the use of authority is beneficial in a particular situation.

Lesson 8

What Are Some Consequences of Authority?

To begin thinking about the consequences of authority, let's take a hypothetical situation. Suppose that the number of automobile accidents among teenage drivers has increased sharply. Suppose that, in an effort to reduce the number of such accidents, the state legislature passed a new law which said that no one under the age of twenty-one could get a driver's license.

What do you think might be some consequences of such a law?

Which of these consequences would be benefits? Which would be costs?

Do you think the various people affected by this law—teenagers, their parents, the police, the state legislators—would all feel the same way about the benefits and costs involved?

Problem Solving

Benefits or costs?

This activity will give you an opportunity to discuss some benefits and costs of using authority. Your class should be divided into four groups. Each group should read one of the situations below and answer the questions that follow. Each group should then share its answers with the rest of the class.

To combat an increase in juvenile crime, the city council passed a law imposing a 10:30 p.m. curfew on people under the age of eighteen.

To control pollution, Congress passed a new law which set high standards for waste disposal from industrial plants. Any factory which did not comply with these standards within six months would be heavily fined.

The state legislature passed a new law banning the sale or possession of assault-type automatic weapons.

The state legislature passed a law which made it a crime for any person to print or sell books or magazines which showed acts of violence.

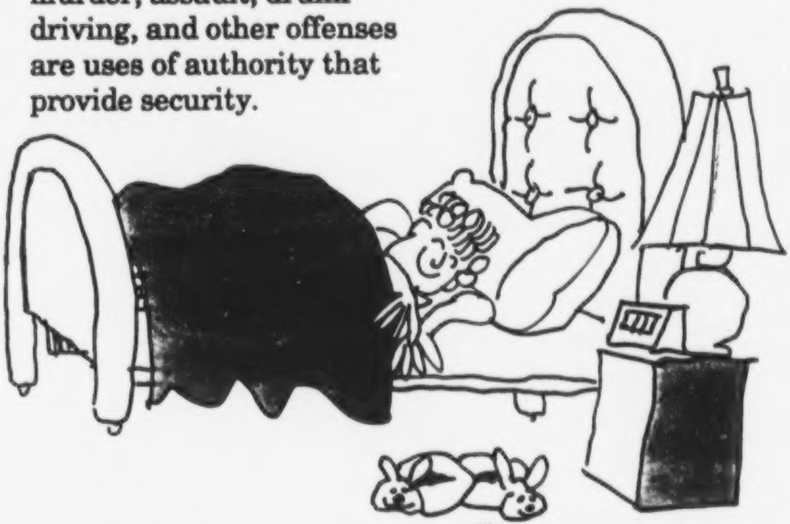
What do you think?

1. What might be some consequences of authority in this situation?
2. Which of these consequences do you think are benefits?
3. Which of these consequences do you think are costs?

What are some common benefits and costs of authority?

When making decisions about issues of authority, it is important to be able to identify the benefits and costs that may be involved. Possible benefits might include the following:

SECURITY. The use of authority may make people feel more secure by providing a predictable order in their lives and by protecting the rights of individuals and groups. For example, laws against murder, assault, drunk driving, and other offenses are uses of authority that provide security.

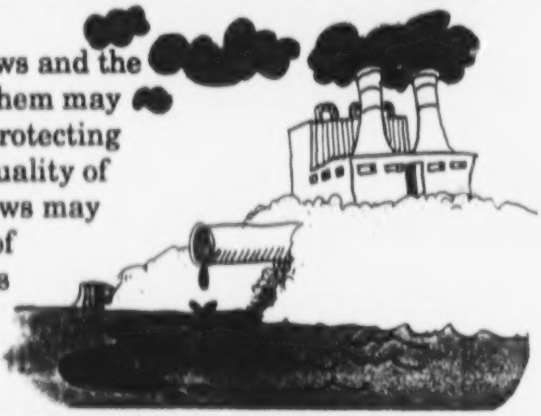


FAIRNESS. Authority can be used to promote the fair distribution of resources and the fair management of conflicts. For example, laws protect the right of people to be heard in court.

FREEDOM. Laws, such as the Bill of Rights, may be used to protect the individual's right to freedom of religion and expression.

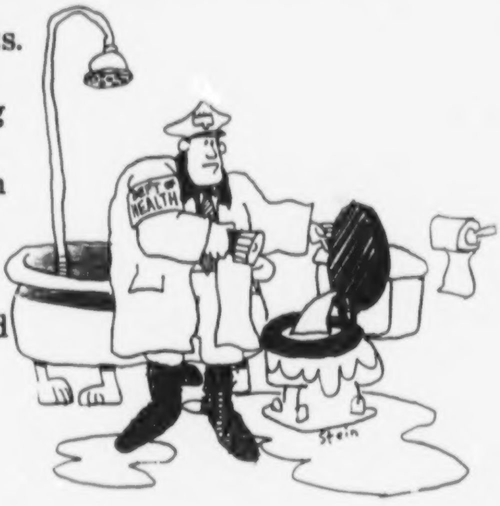
EFFICIENCY. The clear assignment of responsibilities to various authorities may promote greater efficiency in making and carrying out decisions. For example, a principal might assign administrative tasks to a number of different teachers to ensure the smooth operation of the school.

QUALITY OF LIFE. Laws and the people who enforce them may provide a means of protecting and improving the quality of life. For example, laws may forbid the dumping of poisonous substances near our water supplies.



ACCOUNTABILITY. When people are placed in positions of authority, they can be held accountable for fulfilling the responsibilities of their job. For example, voters can hold the president accountable for performing the duties of his or her office as listed in the Constitution.

PROVISION OF ESSENTIAL SERVICES. We can provide for some of the services we need by establishing laws and appointing people to positions of authority to perform these services. For example, laws may provide for the hiring of teachers, police officers, welfare workers, and health and safety inspectors.



Possible costs might include the following:

MISUSE OF POWER. There is a risk that those filling positions of authority might misuse their positions and the power allocated to them.

NEED FOR VIGILANCE. A considerable amount of time and energy may have to be spent to see that people in positions of authority perform their responsibilities within acceptable limits.

INFLEXIBILITY AND RESISTANCE TO CHANGE. In some instances, positions of authority can promote an unwillingness to change among those who hold these positions. This rigidity may make adjusting to new and different situations difficult.

INACCESSIBILITY. Due to the complexity and size of many large institutions, gaining access to people in specific positions of authority may be difficult.

LIMITATIONS ON FREEDOM. Every exercise of authority involves, by definition, a limitation on freedom. For example, parents' authority to set curfews for their children limits the children's freedom.

ECONOMIC COSTS. The support of institutions of authority, such as the federal government, requires economic costs such as the levying and collecting of taxes.

INCOMPETENCE. It is possible for an incompetent individual to be placed in a position of authority.

Which benefits and costs are most important?

Being able to identify the benefits and costs of a law is important in deciding whether or not to support it. In addition, however, we must also decide which benefits and costs are most important to us as individuals. For example, in the earlier discussion of a 10:30 curfew for teenagers, both adults and juveniles would agree that such a curfew would have the cost of limiting teenagers' freedom but would have the benefit of decreasing juvenile crime. Adults might think that the benefit of decreased crime is far more important than the cost of limiting the freedom of juveniles. Teenagers most likely would not agree. It is important that we are able to consider different points of view when examining the benefits and costs of authority in any given situation.

Problem Solving

What position would you take?

Assume that your state legislature is considering a bill to ban the sale or possession of assault-type automatic weapons. Your class should be divided into four groups to develop positions on the bill. Each group should represent one of the organizations listed below. Each organization should make a presentation about which benefits and costs are most important from its point of view.

Committee for a Safe Community
Main Town Gun Association
Police Department
Eagle Arms Weapons Factory

What do you think?

1. What benefits and costs did each group see as most important?
2. What interests affected how each group saw the importance of the various benefits and costs?

Using the Lesson

1. What are some rules you have at school? Pick two or three of these rules and describe the benefits and costs of each of them.
2. Think about a television program or a movie you have seen that showed an exercise of authority. In your journal, make a list of the consequences of that exercise of authority. For each consequence you list, decide whether you consider it to be a benefit or a cost.

Lesson 9

How Do You Judge the Benefits and Costs of Authority?

In this lesson you will have an opportunity to consider the benefits and costs of authority in a well-known historical situation. You will study about a famous case heard by the Supreme Court, *Korematsu v. United States* (1944), which dealt with the government's treatment of Japanese Americans during World War II.

After studying the situation, your class will be able to participate in a hearing and judge the issues involved. Your class should be divided into three groups. One group will argue for the government's position, one will represent Mr. Korematsu, and the third group will act as the judges. To prepare for the hearing, each group should read the background of the case, consider the facts involved, and answer the questions that follow.

Background of the Case

Following the Japanese attack on Pearl Harbor in December, 1941, the United States entered World War II by declaring war against the Axis powers, which included Japan, Germany, and Italy. Never before in the history of the nation had the American people faced such a difficult military challenge. The United States was forced to fight two major wars in two faraway parts of the globe—Europe and the Far East. Conducting a war on two fronts simultaneously was extremely difficult, but most Americans believed they were fighting for their country's freedom and security. They were convinced the future of the nation was in their hands.

At the time of Pearl Harbor, more than 125,000 Japanese Americans lived in the United States, most on the West Coast. More than two-thirds of these were United States citizens. Although there had never been a case of espionage or sabotage by an American of Japanese descent, many people feared there might be. Japanese Americans had long suffered from racial discrimination and prejudice in the United States. The situation worsened with the attack on Pearl Harbor. Shocked by the early Japanese victories in the South Pacific, many Americans feared that the West Coast might be invaded. There was strong public pressure on the government to evacuate the Japanese who lived along the Pacific and move them further inland.

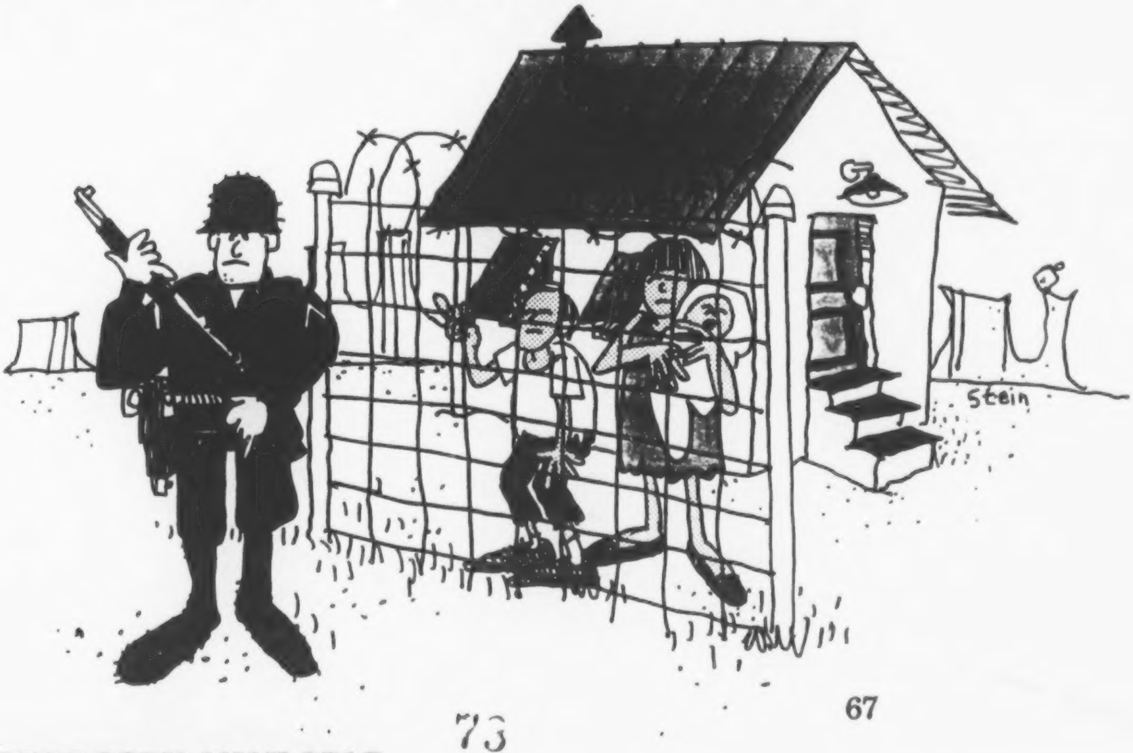
On February 19, 1942, President Roosevelt responded to this fear by issuing an executive order. This order allowed American military commanders to move people of Japanese ancestry from the West Coast to camps further inland. The relocation program made no distinction between citizens and aliens.

The presidential executive order also gave military commanders the authority to declare certain places "military areas." The military commander could, at his discretion, exclude anyone from these military areas in order to prevent spying or sabotage. Shortly afterwards, on March 2, 1942, Congress passed a law which stated that anyone in a military area who disobeyed the orders of the military commander of that area could be sent to prison for one year and/or fined $5,000.

On May 3, 1942, General De Witt, the commander of the San Leandro, California, military area, issued Civilian Exclusion Order No. 34. This order stated that after May 9, 1942, all persons of Japanese ancestry would be excluded from San Leandro. The order said that the reason for this exclusion was the possibility of the "presence of ... disloyal [to the United States] members of the group."

Fred Korematsu was a Japanese American living in San Leandro. He had lived all his life in California and decided to defy the relocation order and remain in San Leandro. On May 30, 1942, he was arrested and accused of violating Exclusion Order No. 34 by remaining in San Leandro after May 9. He was tried and convicted. His sentence was suspended, however, and he was placed on probation for five years. He was taken to one of the "relocation centers" where Japanese Americans who had been moved from designated areas were kept under military control. He was kept there until released by the military authorities.

During the war, more than 100,000 Japanese Americans were forcibly moved from their homes to internment camps in the West. No charges were ever filed against them and they were never found guilty of breaking any law.



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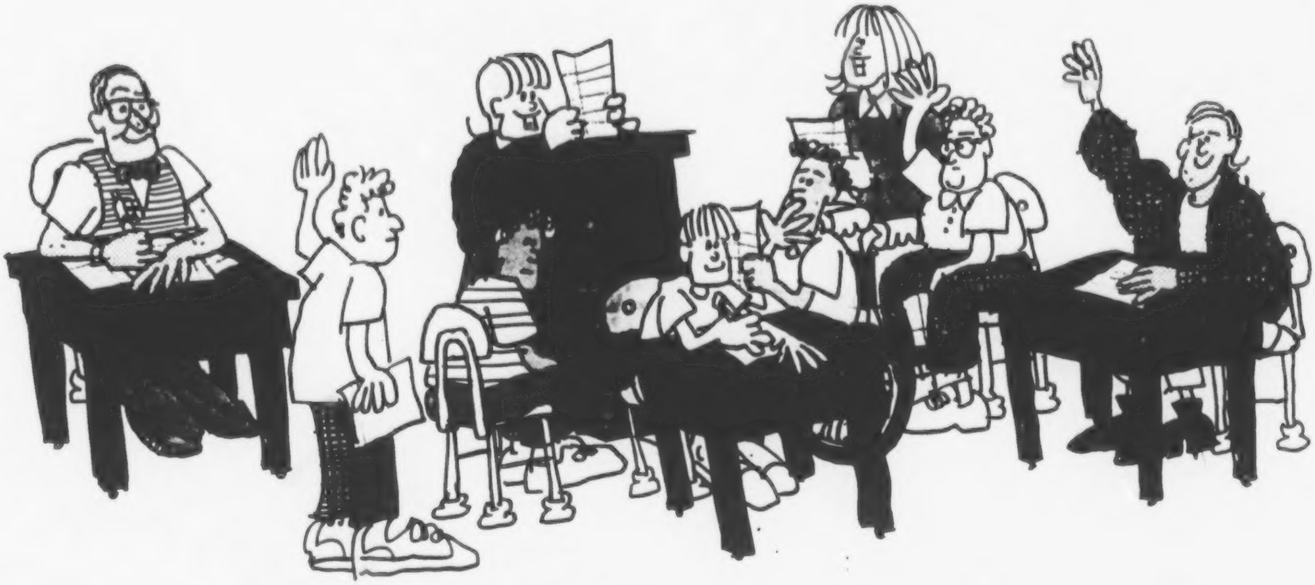
What were the benefits and costs?

1. What were some of the consequences of the following three exercises of authority?
    President Roosevelt's Executive Order of February 19, 1942.
    The law passed by Congress on March 2, 1942.
    Civilian Exclusion Order No. 34 issued by General De Witt on May 9, 1942.
2. Which of these consequences do you think were benefits?
3. Which of these consequences do you think were costs?

Preparation for the Hearing

The question you are to consider is "In view of the benefits and costs involved, was the government justified in ordering the arrest of Mr. Korematsu, his forced removal from his home, and his relocation?"

1. The groups representing the government and Mr. Korematsu should each prepare their arguments on the assigned question.
2. The group representing the judges should discuss the case and prepare questions to ask each side.



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Procedures for the Hearing

1. **Each of the two groups making presentations will have approximately ten minutes to present its arguments.**
2. **At any time during the presentation of arguments, the judges may interrupt and question those making presentations.**
3. **After both sides have finished, the judges should discuss the arguments presented and attempt to reach a decision as to which side they support.**
4. **After the judges have reached their decision, they should explain their reasoning to the class. Additional discussion by the class may follow.**

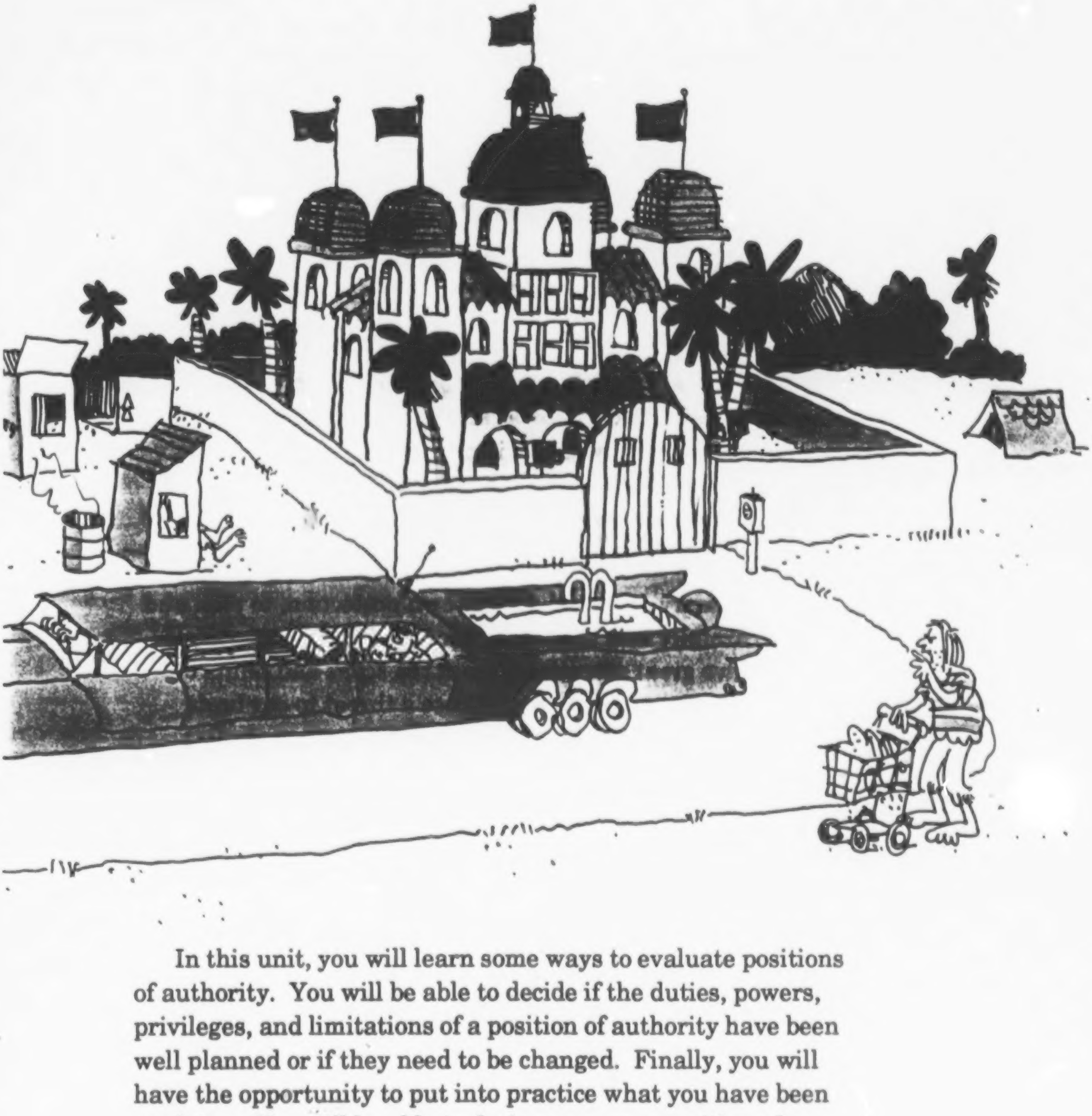
Using the Lesson

1. Write a letter to the editor opposing the position taken by the judges. Defend your position in terms of the benefits and costs involved in the case.
2. Work with a number of your classmates to prepare a simulated television interview with a Japanese American citizen who was forced to live in one of the relocation centers. In preparation for the interview, you may wish to do additional research on the subject of the internment camps. Your teacher will be able to suggest books for you to read.

Unit 4

What Should Be the Scope and Limits of Authority?

Some of the most important issues we face as citizens involve questions about the scope and limits of authority. Is a particular position of authority well designed? Does it give too much or too little power to the person in charge?



In this unit, you will learn some ways to evaluate positions of authority. You will be able to decide if the duties, powers, privileges, and limitations of a position of authority have been well planned or if they need to be changed. Finally, you will have the opportunity to put into practice what you have been studying. You will be able to design your own position of authority.

Lesson 10

What Makes a Well-Designed Position of Authority?

By now you are most likely aware of how much people in authority can affect you. Our local, state, and federal governments are run by people in positions of authority. We, the people of the United States, have given great powers and responsibilities to many of these people. We do so in order to receive the protection and services of our government.

It is necessary, however, for our own protection, to plan and evaluate carefully how positions of authority are designed. If we do not give great attention to both the scope and limits of authority, the consequences could pose a threat to our basic freedoms.

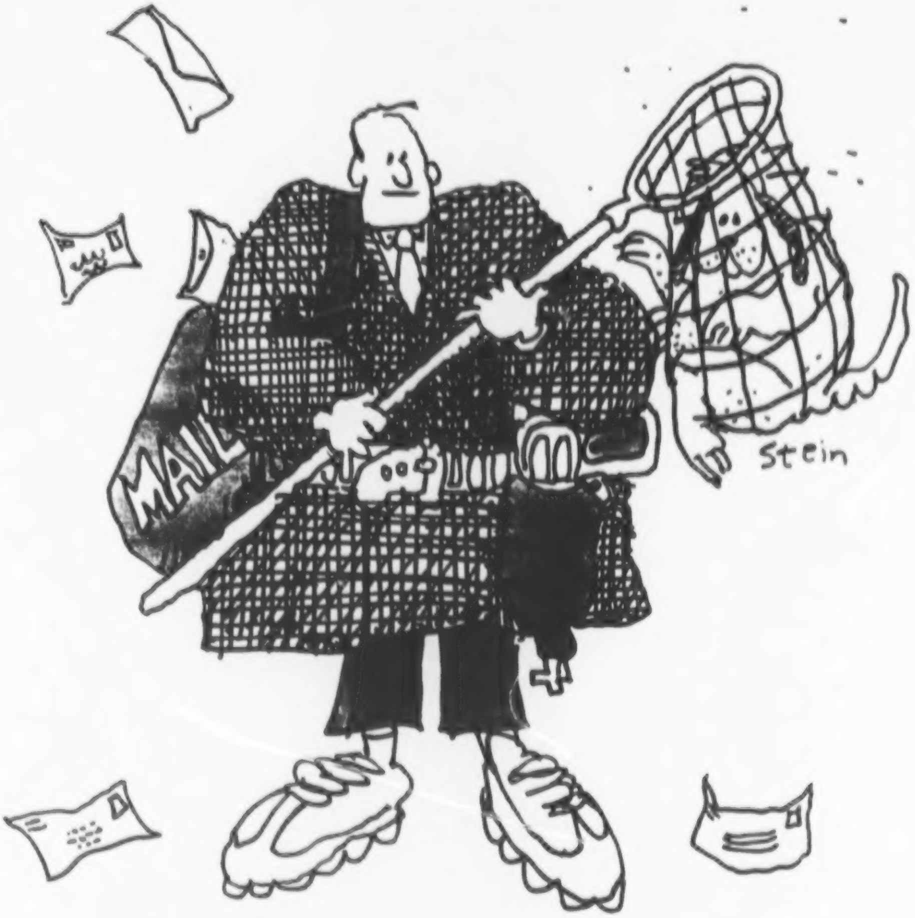
> Can you think of any positions of authority that in your experience were not well designed? What were the consequences? Explain your answer.
>
> Why do you think it might be important to evaluate positions of authority?

Problem Solving

What is wrong here?

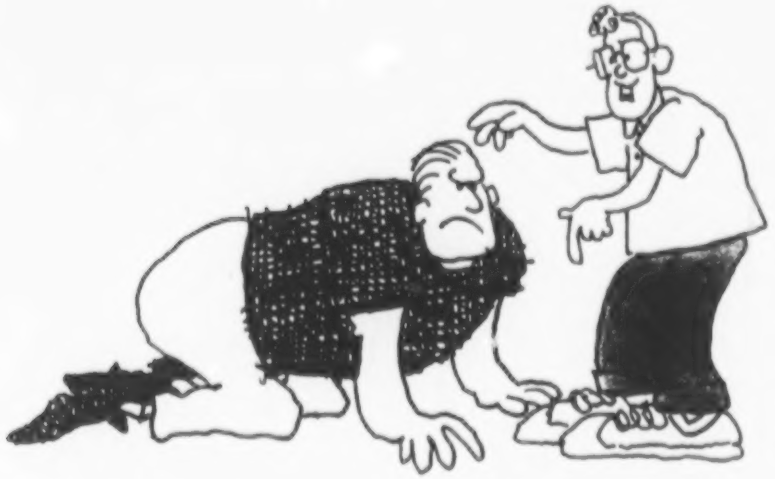
The list below describes several positions of authority, each of which has something wrong with it. Read the list and answer the questions that follow.

1. The Constitution of the State of Confusion provided that the Governor had to make all the laws, deliver the mail, sweep the streets, patrol for stray animals, preside over all criminal trials, and run the television station.

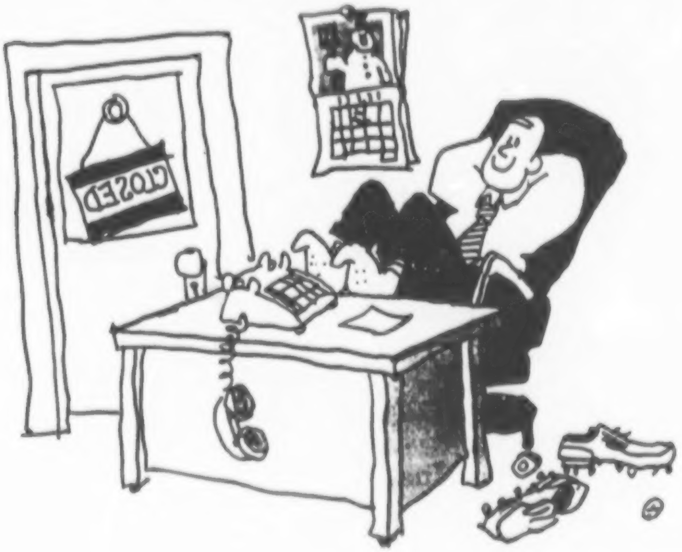


2. In the state of Perpetua, all members of the legislature were appointed for life. They could not be removed from office no matter what they did.

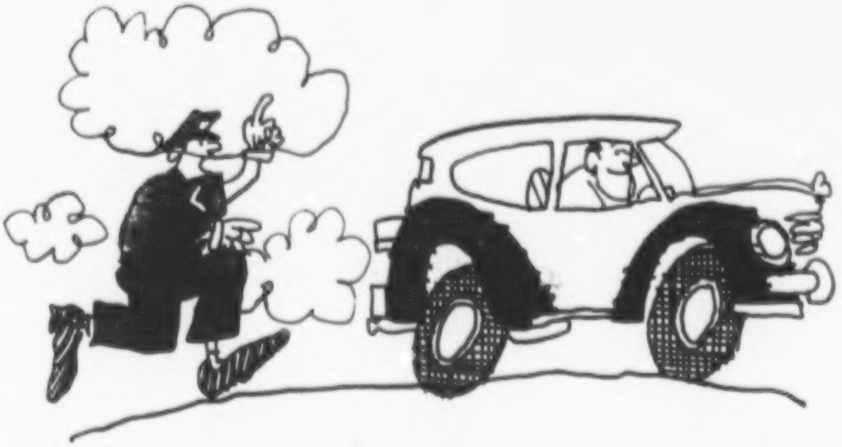
3. When the principal appointed Billy Clubb to be hall monitor of Boot City High, she gave him complete authority over the students in the halls and said he could make them do anything that he wanted.



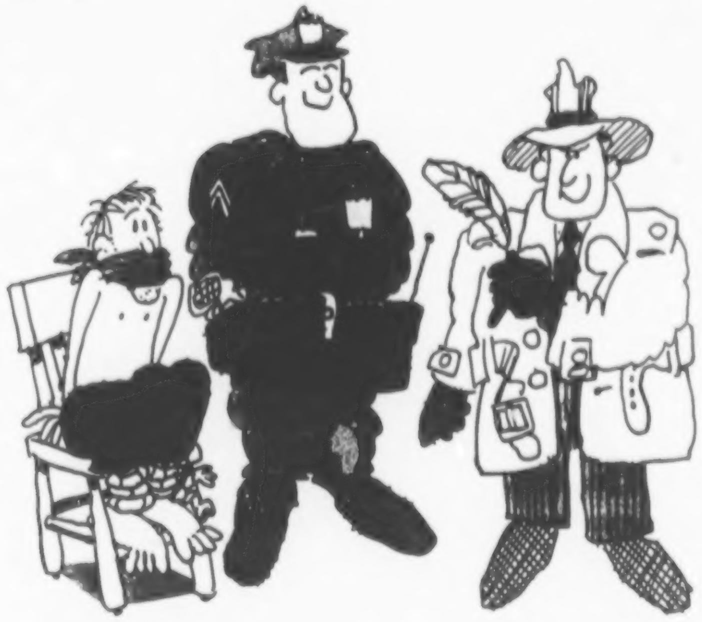
4. The newly elected mayor of Agoraphobia City would not allow any citizen to speak to him or to write letters to him. While he was mayor, he locked himself in his office and took the phone off the hook.



5. The city council hired six traffic control officers to enforce the speeding laws. But it did not give the new officers any police cars, motorcycles, or whistles.



6. The Grand Inquisitor was like a judge—it was his job to determine guilt or innocence. To do his job, he often used torture to force confessions out of those accused of crimes. Innocent people confessed just to escape the pains of torture.



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What do you think?

1. What is wrong with each position of authority described on the previous pages?
2. Look at each weakness you have identified. What do these weaknesses suggest about what should be included in a well-designed position of authority?

How should we determine the scope and limits of authority?

The preceding activity should give you some insight into what can go wrong if a position of authority is not well designed. How can such problems be prevented? Here is a set of intellectual tools you can use to determine what should be the scope and limits of a particular position of authority.

What is the position to be evaluated?

What is the purpose or purposes of the position?

Is the position necessary to accomplish these purposes?

What are the duties, powers, privileges, and limitations of the position?

What are some of the probable effects of the position as it is now designed?

What are the strengths and weaknesses of the position?

Is it well designed to achieve its purposes?

Does it have enough power—adequate but not excessive?

Are there ways people in the position can be held accountable for what they do?

Is the position overburdened with duties?

Are sufficient resources available to accomplish the duties of the position?

Is there a reasonable degree of public access and input?

Is it required that fair and humane procedures be used in the exercise of the position's powers?

Is the position designed to protect such rights as freedom and privacy?

Is the position designed so people are likely to cooperate with the exercise of its powers?

How could the position be modified to correct any weaknesses you have identified?

Should the position be retained, modified, or eliminated?

Explain your decision about the position in terms of the benefits and costs involved.

Using the Lesson

1. Select a position of authority that you have seen on television or read about in a newspaper, magazine, or book. Use the criteria you have just learned in this lesson to evaluate the position.

2. Write a short story describing what might happen in a country where the position of president has not been well planned.

Lesson 11

How Would You Evaluate This Position of Authority?

In this lesson, you will be given the opportunity to act as a member of a naval review board considering the position of a ship's captain. You will be expected to evaluate this position of authority using the criteria you studied in the last lesson. You will be given the background of the situation, a description of the position under consideration, and a story about a problem that has recently occurred.

The story you will read has been adapted from Richard Henry Dana's book, *Two Years Before the Mast* (1840), which tells of a young sailor's adventures at sea. It appears likely that the problem described by the sailor in "A Flogging at Sea" is not an isolated incident and, therefore, the naval review board is concerned with evaluating the authority now held by ships' captains.

Your class should be divided into groups of three to five students. Each group should act as a separate naval review board. After the members of each group have read the background, the job description, and "A Flogging at Sea," the group should meet to answer the questions that follow the story.

Each group should select a spokesperson to present the group's suggestions to the rest of the class. The class should then decide if they would make any changes in the position of ship's captain, retain it as it is, or eliminate it entirely. Students should be able to explain their decisions.

The Background

The year is 1840. You are a member of the naval review board. One of the board's responsibilities is to look into problems that occur on sailing ships and decide what should be done about them. Recently, a new problem has come to the board's attention because of a story written by a sailor. The story raises questions about the limits of authority of a ship's captain.

Your job is to evaluate the position of the ship's captain and suggest ways to improve the position. To help you do this, you will have (1) a "job description" of what a ship's captain is and is not allowed to do, (2) the sailor's story, entitled "A Flogging at Sea," and (3) a set of questions following the story that will help you evaluate the position and make suggestions for improvement.

Ship's Captain: A Job Description

Duties and Powers

A ship's captain has the duty and/or power to

supervise the running of the ship,
decide the course of the ship,
decide who is assigned to different jobs on board ship,
settle disagreements among sailors,
punish sailors who break rules,
decide who will receive special privileges (such as shore leave),
write reports to the ship's owners,
keep a daily log of the ship's progress, and
represent the ship's owners whenever the ship reaches a foreign port.

Privileges

A ship's captain is entitled to

- receive a salary from the owners of the ship plus a percentage of the profits from the voyage,
- a special uniform,
- a private cabin, and
- specially prepared food.

Limitations

A ship's captain is not allowed to

- do anything to risk the success of the voyage,
- break the law of the land in a foreign port, and
- punish by death sailors who have broken rules.

"A Flogging at Sea"

The captain of our ship had been losing his temper about a lot of little things. He threatened to flog the cook for throwing wood on deck, and he became furious when the first mate bragged that he could tie knots better than the captain. Most of his anger, though, was directed against a large man called Sam. Sam couldn't speak very well and he was a little slow. But he was a pretty good sailor and tried his best. The truth is that the captain just didn't like him.

One Saturday morning, I heard him shouting at someone. Then I heard noises that sounded like a fight.

"You may well keep still, for I have got you," said the captain. "Will you ever talk back to me again?"

"I never did, sir," said Sam.

"That's not what I asked you. Will you ever talk back to me again?"

"I never did, sir," Sam repeated.

"Answer my question, or I'll make a spread eagle of you! I'll flog you!" The captain was almost beside himself with anger.

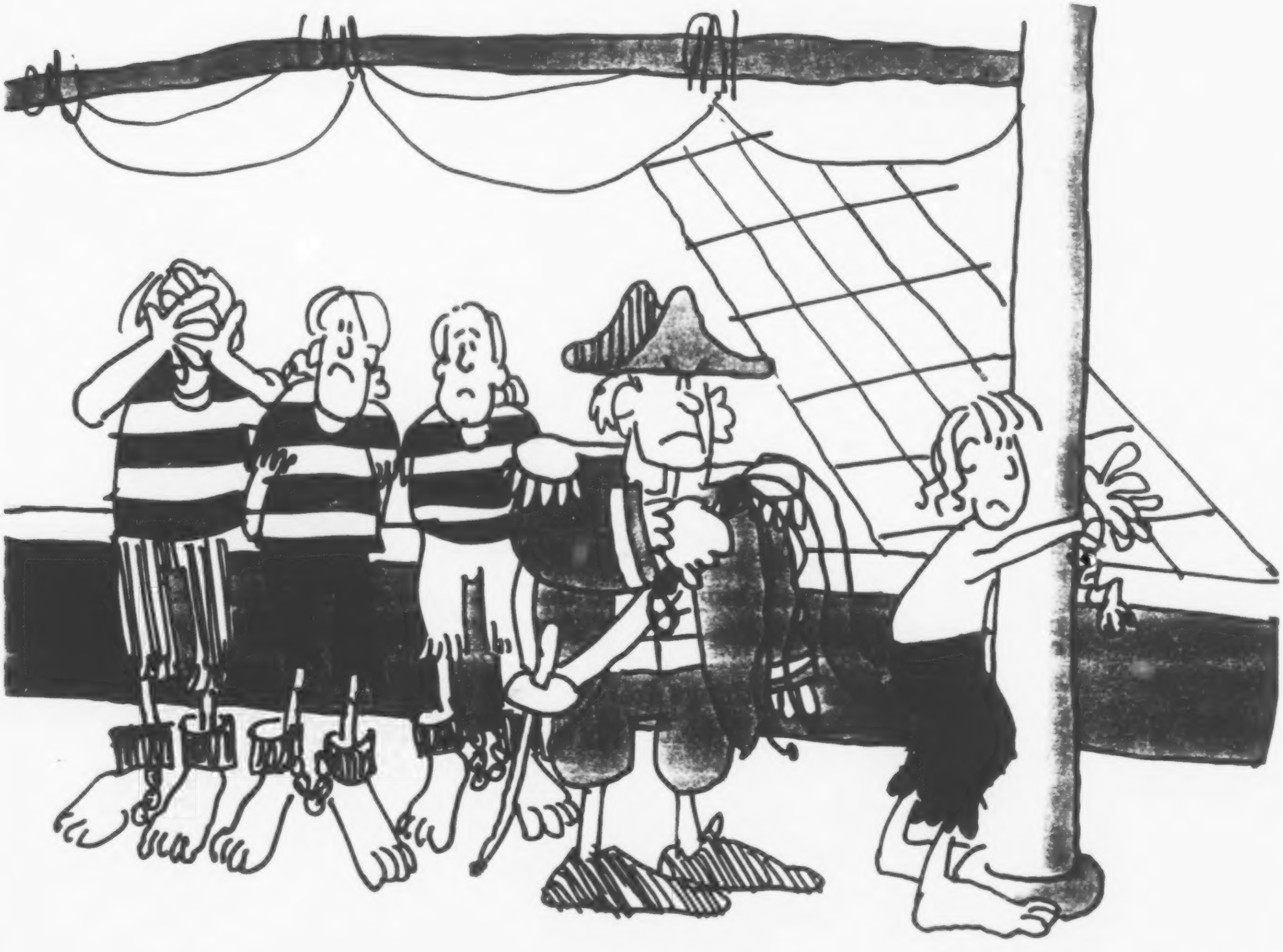
"I'm no slave," said Sam.

"Then I'll make you one," said the captain. He sprang up to the deck and called to the first mate, "Tie that man up! Make a spread eagle of him! I'll teach you all who is the master of this ship!"

The mate took Sam up to the deck. Sam did not struggle.

"What are you going to flog that man for, sir?" said John, the Swede, to the captain. Upon hearing this, the captain turned upon him and ordered him put in irons.

By this time Sam was tied up, his jacket off, and his back was bare. The captain stood a few feet away, so he could have a good swing at him. In his hand he held a thick, strong rope.



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Watching this made me feel sick. I wanted to stop it, but there were only a few others who felt as I did. We were outnumbered by the captain and his officers. If we started a fight, we would lose. Then we'd be accused of mutiny. Even if we could win, we'd be branded for life as pirates; and if we were ever caught, we'd be severely punished. A sailor has no rights. He has to do whatever the captain orders, or he becomes a mutineer or pirate.

Swinging as hard as he could, the captain lashed into poor Sam's back. Six times he struck Sam with the rope.

"Will you ever talk back to me again?" shouted the captain.

Sam said nothing. Three more times the captain flogged him. Finally Sam was cut down and sent to the front of the ship.

"Now you," said the captain, walking up to John and taking off the irons. John was tied up, and the captain prepared to flog him.

"Why am I being flogged, sir?" asked John. "Have I ever refused my duty? Have I ever been lazy or talked back?"

"No," answered the captain, "I'm flogging you because you ask questions."

"Aren't I allowed to ask questions?" asked John.

"No!" shouted the captain. "Nobody is allowed to do anything unless I tell them to." He started flogging John. He reached way back to hit harder and harder. The more he flogged, the wilder he became. I was horrified. I couldn't watch anymore. At last the captain stopped and the first mate cut John down. The captain turned to the rest of us.

"Now you see how things are! Now you know who I am! I'm the slave driver and you are my slaves! I'll make you all do as I say or I'll flog you all!"

Questions for the Naval Review Board

1. What position of authority is to be evaluated?
2. What is the purpose of the position?
3. Is the position necessary? Why or why not?
4. What are the duties, powers, privileges, and limitations of the position?
5. What are some probable effects of the position as it is designed?
6. What do you think are the strengths and weaknesses of the position as it is designed?
7. Can you suggest changes to correct any weaknesses you have identified? Consider the benefits and costs of any change you suggest.
8. Should the position be retained as it is, modified, or eliminated? Explain your decision.

Using the Lesson

1. Can you think of any circumstances which might require someone to have absolute authority? If so, what are they and why do they require unchecked power to be used at the sole discretion of the person in authority?
2. As a class project, arrange to have a person in a position of authority (such as a police officer, judge, district attorney, public defender, or mayor) visit your classroom. Ask that person to describe and evaluate the duties, powers, privileges, and limitations of the authority of his or her position.

Lesson 12

How Would You Design a Position of Authority?

In this lesson, you will have an opportunity to use the knowledge and skills you have acquired while studying this text to decide the scope and limits of authority which ought to be given to a particular position.

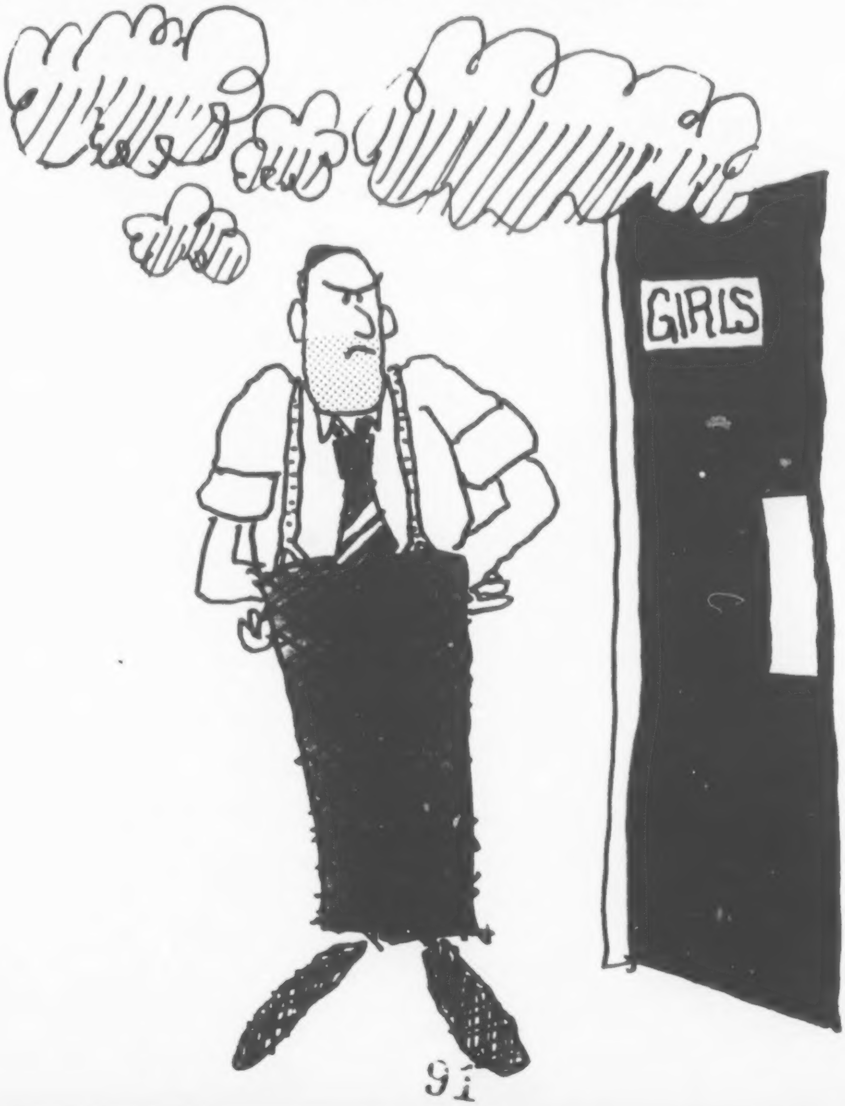
Your class will be dealing with a problem that has occurred in a hypothetical school known as Harris High. Read the story below and then divide into small groups of about three to five students. Each group will act as one of the student government committees assigned the job of developing a new position of authority at Harris High. Members of each group should read the "Directions for the Committees" and answer the questions. After each group has made its presentation, the class should discuss what would be the best solution to the problem at Harris High.

A Problem at Harris High

There had been a student government for a number of years at Harris High School. A student body president was elected each semester as were representatives from each homeroom. The student government had the right to make a number of school rules and to plan special events, such as sports activities and dances. Most of the students, teachers, and school administrators thought the student government did a good job.

During the past two years, however, trouble had been developing at the school. More students than usual were breaking school rules, the number of fights had increased, and a feeling of tension replaced the easy-going atmosphere which had existed before. In some cases, students were accused of breaking into lockers and stealing. There were rumors of certain students carrying weapons. The student rest rooms were becoming dangerous places.

For many years, it had been the responsibility of teachers and administrators to deal with students accused of breaking rules. In fact, they were required by law to take this responsibility. But the increase in fighting and rule-breaking was creating a difficult situation for teachers. Many felt they were spending more time disciplining students than teaching them. They felt this was unfair to the students who wanted to learn.



For their part, students were sometimes upset with the ways teachers dealt with discipline problems. They felt that some teachers didn't give a fair hearing to those accused of breaking rules. Most students understood that this happened because teachers were so busy they were unable to take the time necessary to hear all sides of a dispute.

Many students felt, however, that something should be done to improve the situation. The problem of how to give suspected rule-breakers a fair hearing was discussed at a student government meeting. The meeting was attended by members of the student government, a number of teachers, and members of the school administration. After a long discussion of the problems facing the school, the principal, Ms. Willis, spoke.

"I think we have a pretty good idea of the problem facing us," she said. "I would like to turn its solution over to you, the student government. If your recommendations are reasonable, I'll go along with them. But remember, under state law, it is my duty to maintain order at this school. So whatever you decide must be in agreement with the law."

Everyone agreed that Ms. Willis's suggestion was fair. After the administrators and teachers left, the student representatives broke into committees to start working on the difficult problem of designing a new justice system for Harris High.

Directions for the Committees

Each group should act as one of the student government committees assigned the job of developing a new position of authority at Harris High. Select a chairperson to help lead your discussion and a recorder to take notes.

The following questions make up a procedure to use when designing a position of authority. Be sure your group reads, discusses, and answers each question carefully.

What problem are you concerned about?

Would establishing a position of authority help, or are there better ways to deal with the problem?

What position of authority would help deal with the problem?

What duties, powers, privileges, and limitations should that position have?

What probable effects would the position of authority have?

When you have completed your discussion of these points, prepare a description of a new position at Harris High. Have the chairperson of your committee present your plan to the rest of the class. The presentation should include

a statement of the purpose of the position,

a description of the position, listing its duties, powers, privileges, and limitations, and

a statement of the probable effects of the position.

The class should discuss the strengths and weaknesses of each proposed position and attempt to reach a consensus on the design of a new system of justice for Harris High.

Using the Lesson

1. Did you agree with your class decision on designing a position of authority for Harris High? Write a letter to the editor of the Harris school newspaper either supporting or opposing the new position for the school.
2. Think about a problem in your neighborhood or town that might be helped by creating a position of authority. Use what you have learned in this unit to design a position of authority to help solve this problem.

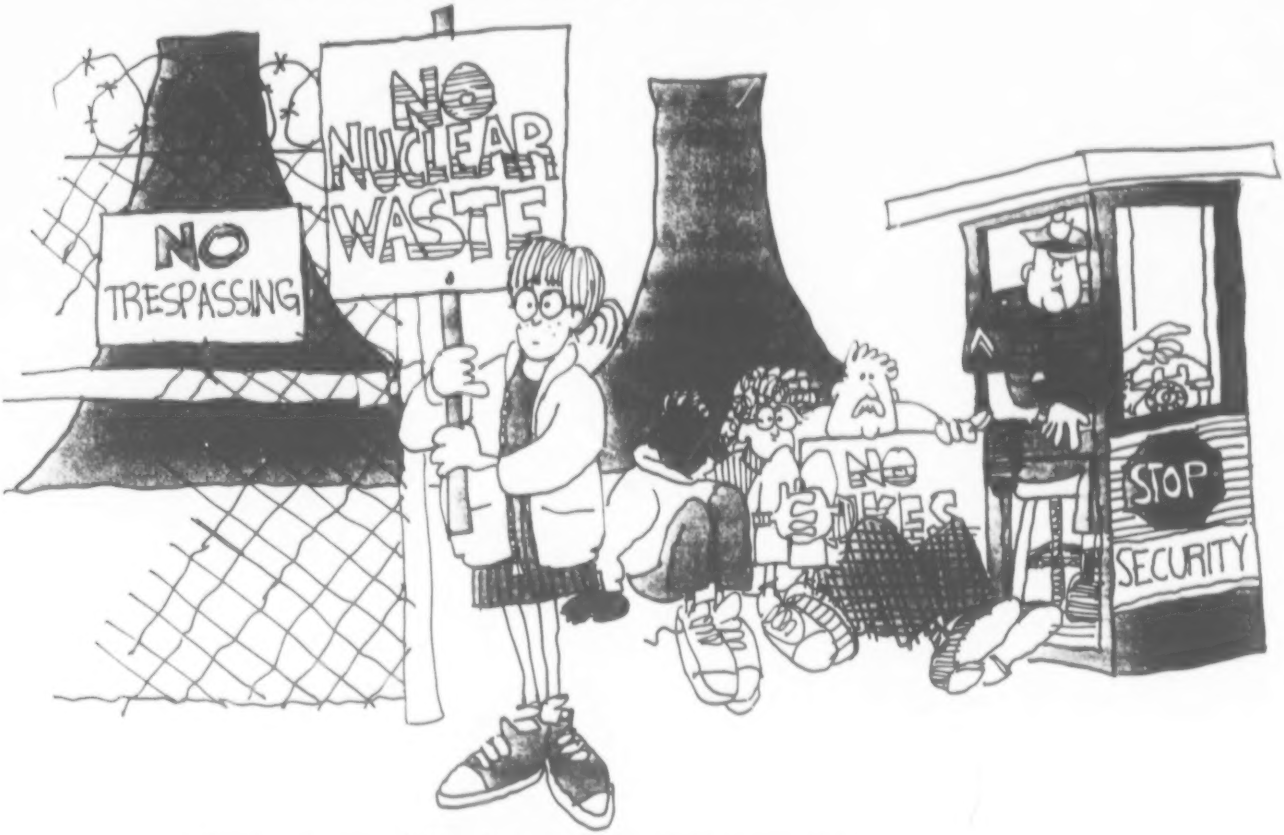
Concluding Activity

What Should Be the Limits on Challenging Authority?

In Unit Four you learned how to determine the scope and limits of a position of authority. You have seen what can happen when a position of authority is not well designed or when a person holding such a position misuses or abuses authority. The Framers of our Constitution understood the importance of limiting authority. That is why they created the system of separation of powers and checks and balances that is built into our Constitution. The Bill of Rights was designed as a further protection of individual liberties against possible abuse by those in authority.

Our constitutional system of government is based on majority rule, but it also protects the rights of minorities. It allows those who do not agree with the decisions of the government to protest those decisions and to try and change them. Voting, marching in demonstrations, participating in boycotts, writing letters to the media or to a public official, signing petitions, or joining a protest group or political organization are just some of the ways people can express their opinions.

But what happens when such forms of protest are not enough? What if you believe that it is against your moral or religious principles to support a law and all your legal efforts to change that law have failed? What choices do you have? How far should a person go in challenging authority?



These are very difficult questions. For centuries philosophers and scholars have been trying to find the answers. Throughout history, there have been people who have refused to obey laws they felt were unjust and have chosen to suffer the consequences of their actions, no matter how severe. Some people have chosen to engage in rebellion or revolution, others have looked to less violent forms of protest.

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Civil disobedience is a form of non-violent protest. It is an act done in defiance of a law or policy of the government in order to bring about change. Civil disobedience involves a willingness to accept the consequences involved. When we talk about civil disobedience, we are not simply talking about breaking the law. We are talking about a deliberate protest of a law or policy believed to be unjust. Such protest can take many forms. It may be a decision not to pay taxes, to burn a draft card, to help fugitive slaves, or to chain oneself to a nuclear power plant.

Civil disobedience is deeply rooted in the history of the United States and has, in some instances, led to profound changes in the Constitution. The abolitionists refused to recognize laws that supported slavery and preferred jail to a system they felt was immoral. They preferred to follow the "higher law" of their own religious and moral principles rather than the authority of the government.

Martin Luther King, Jr. (1929-1968), a major leader of the civil rights movement in the 1960s, was a strong advocate of the power of non-violent protest.

UPI/Bettmann Newsphotos

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Leaders of the woman's suffrage, civil rights, and anti-war movements also chose to disobey laws and go to jail rather than support laws they believed were wrong. Martin Luther King, Jr., wrote in his *Letter from Birmingham Jail,* "I submit that an individual who breaks a law that his conscience tells him is unjust, and willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for the law."

Civil disobedience is an extreme choice made only when there seem to be no other alternatives. But when is it an appropriate choice? In this lesson, you will have an opportunity to consider what should be the limits on challenging authority. You may never engage in an act of civil disobedience, but you may very well confront laws that you feel are against your moral or religious principles. The following activity will help you think about some questions you should consider in such a situation. It will give you some tools to deal with a very difficult subject.

Background of *Antigone*

Read the story below and follow the instructions for a class debate. The story is adapted from the Greek tragedy, *Antigone*, written by Sophocles in 443 or 441 B.C. It tells of a young woman, Antigone, who violates a law in order to follow the dictates of her conscience and suffers the consequences.

When Antigone was about 18 years of age, her uncle Creon became ruler of Thebes, an important city in ancient Greece. Both Antigone and Creon were strong-willed; both believed deeply in what they thought was right. Because neither would give in to the other, they brought great tragedy upon both themselves and their city.

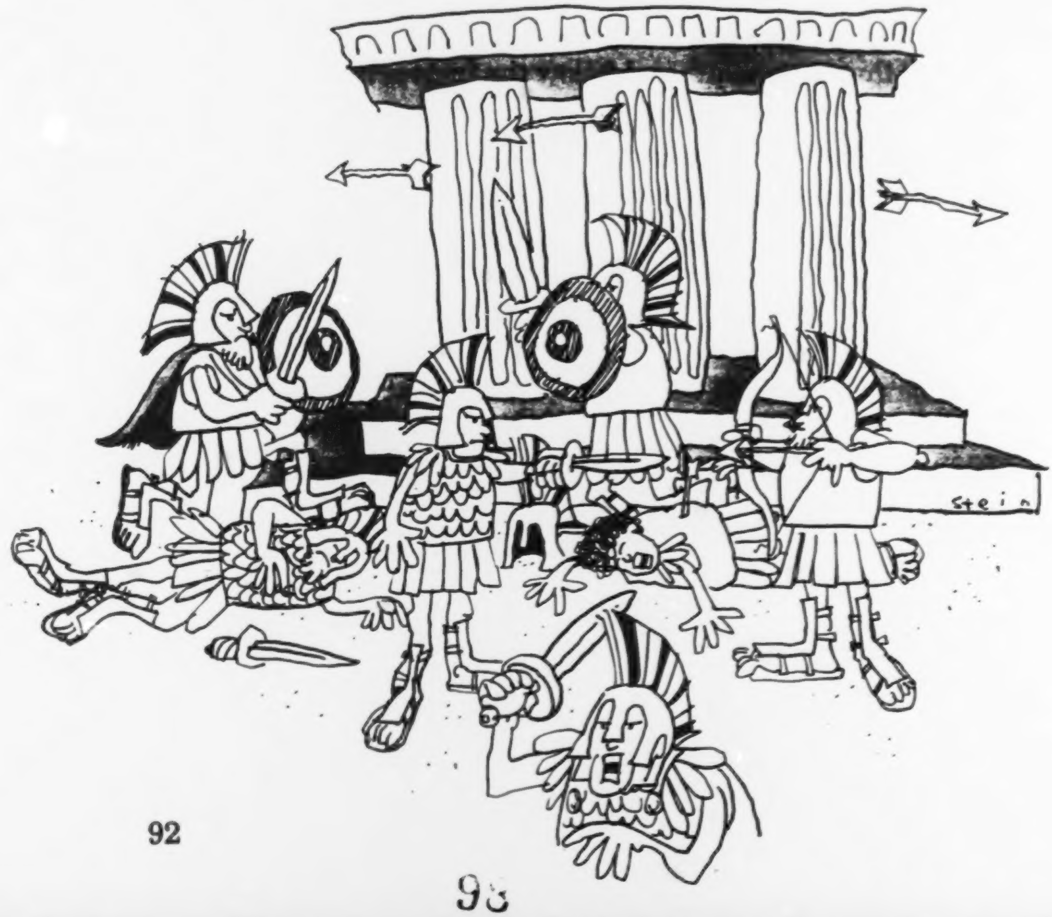
When is it right to disobey political authority? Antigone answered that question to her own satisfaction and died for it. Creon had a different answer and lost everything he loved.

Creon's Decree

Before Creon became king of Thebes, his brother Oedipus had ruled the land. The former king had two daughters, Antigone and Ismene, and two sons, Eteocles and Polyneices. Tragedy drove Oedipus from the land, and Thebes was left without a ruler. To choose a new leader, the citizens of Thebes held an election and chose Eteocles to be king.

Polyneices believed that since he was older than Eteocles, it was his right to rule the land. The two brothers quarrelled and Eteocles banished Polyneices, who pledged revenge. Polyneices left Thebes and gathered together a large army to fight for the throne.

Polyneices and his army returned to Thebes and waged a fierce attack against the city. It was a long and bitter civil war, with brother fighting against brother. During the course of the war, many were killed and much was destroyed. Finally, Polyneices and Eteocles fought each other; both were slain.



Once again, the people of Thebes were without a ruler. They turned to Creon, electing him king. Creon spoke to the people and reminded them what happened when authority was not obeyed. He told them that for the good of their land, they must learn from this sad time. As an example for everyone, he decreed that Eteocles was to be given a hero's funeral, while Polyneices, who fought against Thebes, was to be left on the field of battle to rot. No gravestone was to be put up in Polyneices' memory; no person was to go into mourning for him. Any person who disobeyed this decree and buried Polyneices' body would be put to death.

The people of Thebes debated the wisdom of Creon's decree. On one side, many believed it was a sacred duty to bury the dead. According to their beliefs, unburied souls were doomed to wander alone throughout all eternity. On the other side were those who felt Creon's decree was justified because the city had suffered from rebels and lawbreakers. Polyneices' fate would serve as an example to those who did not respect the authority of the state.

A Higher Law

Antigone, Polyneices' sister, passionately believed that the laws of the gods were higher and more important than the laws of the state. She intended to follow the laws of the gods and bury her brother. Antigone attempted to convince her sister to join her.

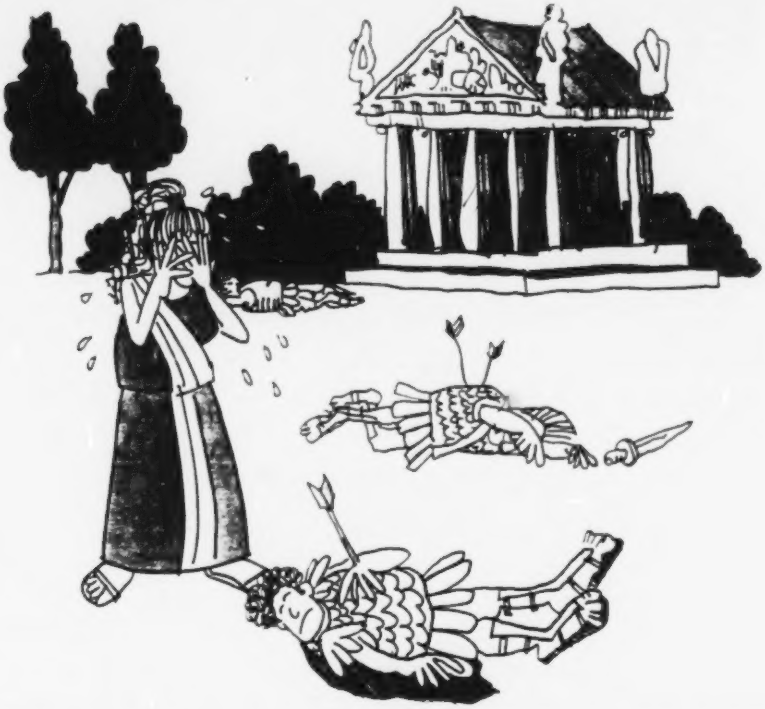
"Do you mean to bury our brother's body, Antigone, when it is forbidden by law?" Ismene asked her sister.

"If you will not join me, I will do your share too," Antigone replied. "I will never be false to my brother!"

"Are you not going too far, exceeding the limits," Ismene asked, "when you do what Creon, who is the king, has forbidden?"

"He has no right to keep me from observing sacred custom." Antigone spoke with great firmness.

"If we do as you wish and defy the law," Ismene continued, "we will find ourselves alone against the powers of the king and we will perish! Since we are forced to obey this law, we can ask the gods' forgiveness."



"Obey the law if you must, Ismene," said Antigone. "I will not urge you further to join me. But I will bury him without your help. And if I am killed because of it, then so be it. My 'crime' will be no sin, for I owe a greater allegiance to the laws made by the gods than I do those made by man. And if you do not join me in my action, you will be guilty of dishonoring the gods' laws."

"I have no wish to dishonor the gods' laws, Antigone," Ismene replied, "but I have no strength to defy the state."

"Then I will act alone to honor the brother I love," Antigone said.

Punishment

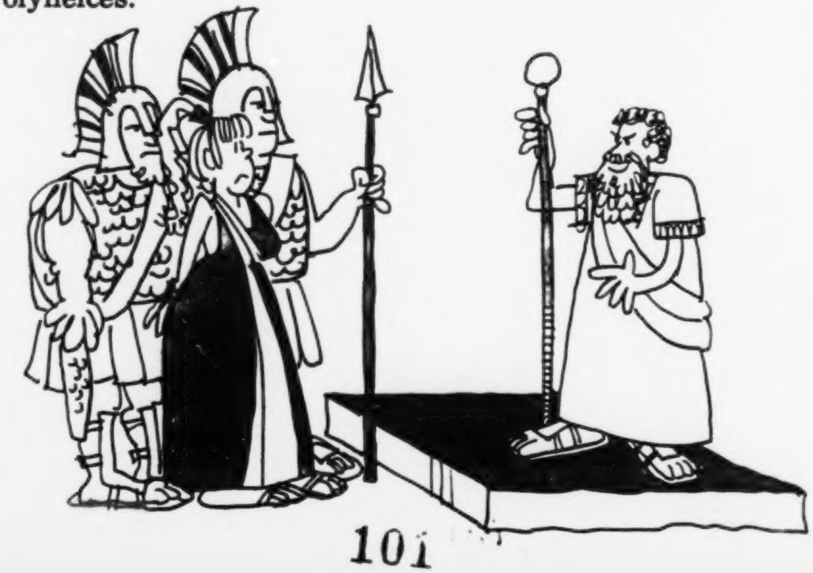
As Antigone went to bury her brother, Creon entered the garden with two attendants. He was deeply worried about the decision he had just made.

"It is our loyalty to the state that is the highest good. Those who look upon their friends or family as of greater worth than their city are wrong. They forget that it is the ship of state that carries us safely through life's stormy voyage and only while she prospers can we make true friends or live decently at all. Worse still are those like my nephew Polyneices who turn against their own land and make war against it. No honor shall be given to them.

"These are my rules! And that is why my edict honors all those who died in battle fighting for our city but forbids touching Polyneices, who made war against his own land. He tried to taste the blood of his own kin and make slaves of all the others: his body shall be left untouched, unmourned, and unburied as a mark of shame and dishonor. Only by these rules can our city be safe and prosper. And only by obedience to them can this city avoid civil war and ruin."

Suddenly, a guard burst into the garden and brought the news that Polyneices had been buried. Creon angrily gave orders to find the guilty person. The guard returned with Antigone in custody.

"I caught this woman in the act of burying the body of Polyneices."



Creon turned to his niece Antigone and asked whether she denied trying to bury Polyneices' body. She did not deny it.

Creon now said to Antigone, "Tell me, did you not know that there is a law forbidding what you did; and if you did know, why did you disobey it? You are my niece and are soon to marry my son, Haemon. How can this be?"

"I knew the law," Antigone answered. "It was public knowledge. As for why I did it, hear this: It was not Zeus, king of the gods, who published that edict. Your law is not part of eternal justice, and I do not believe that your laws always compel me to obey. The unwritten laws of eternal justice are a higher law and in their name I disobeyed your lesser law.

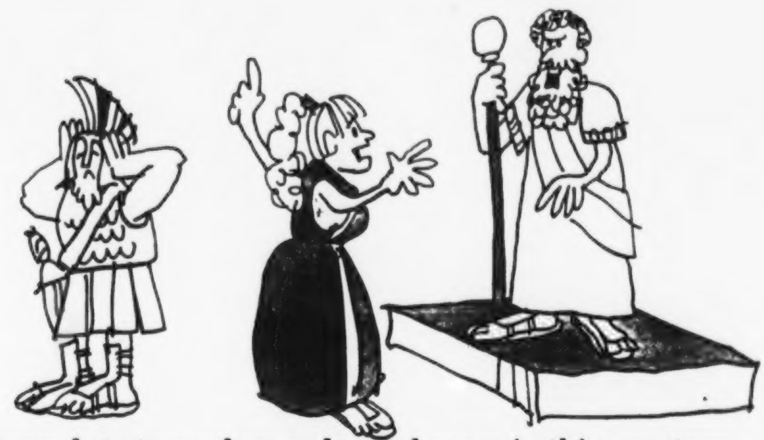
"Your law is the law of today," she continued. "But the laws of heaven are laws for eternity; for all times and all places. No one even knows when they were first legislated. Eternal law commands that I bury my brother, Polyneices. I will die for doing so, but I would die someday in any case. Being put to death by you is of no importance to me. But if I had allowed my brother to lie untouched, unburied, and uncared for, that would have disturbed me deeply. I am therefore not sorry for what I did."

"This brother of yours was attacking his own state!" Creon retorted. "There is no glory in aiding those who make treasonous attack on your own country, which ought to hold your highest loyalty and allegiance. And what of your other brother, who died defending the state?"

"Nevertheless, the gods require what I have done," said Antigone. "In honoring the dead I follow a higher law than the law of the state. What is more, my fellow Thebeans agree with me, only their lips are sealed with fear."

"The gods require no loyalty to such evil doers," said Creon.

"You cannot speak for the gods. Who can say that they don't agree with me?" replied Antigone.



"It is my duty to produce order and peace in this war-torn land," Creon went on. "Our city is still in danger, divided between the supporters of both your dead brothers. The fate of the rebel Polyneices must serve as a warning to all those who would disobey the laws and overthrow the state.

"You have thrown away your future happiness to bury one rebellious brother, Antigone. In disobeying the law, on which the safety and well-being of the whole city depends, you make it impossible for me to avoid putting you to death.

"Antigone, it is my belief that a single unburied corpse is a fair payment for restoring peace and order to Thebes, but you refuse to accept that. So be it. You leave me no choice. Guards, take this woman from my sight and lock her away! She must not escape from her appointment with death!"

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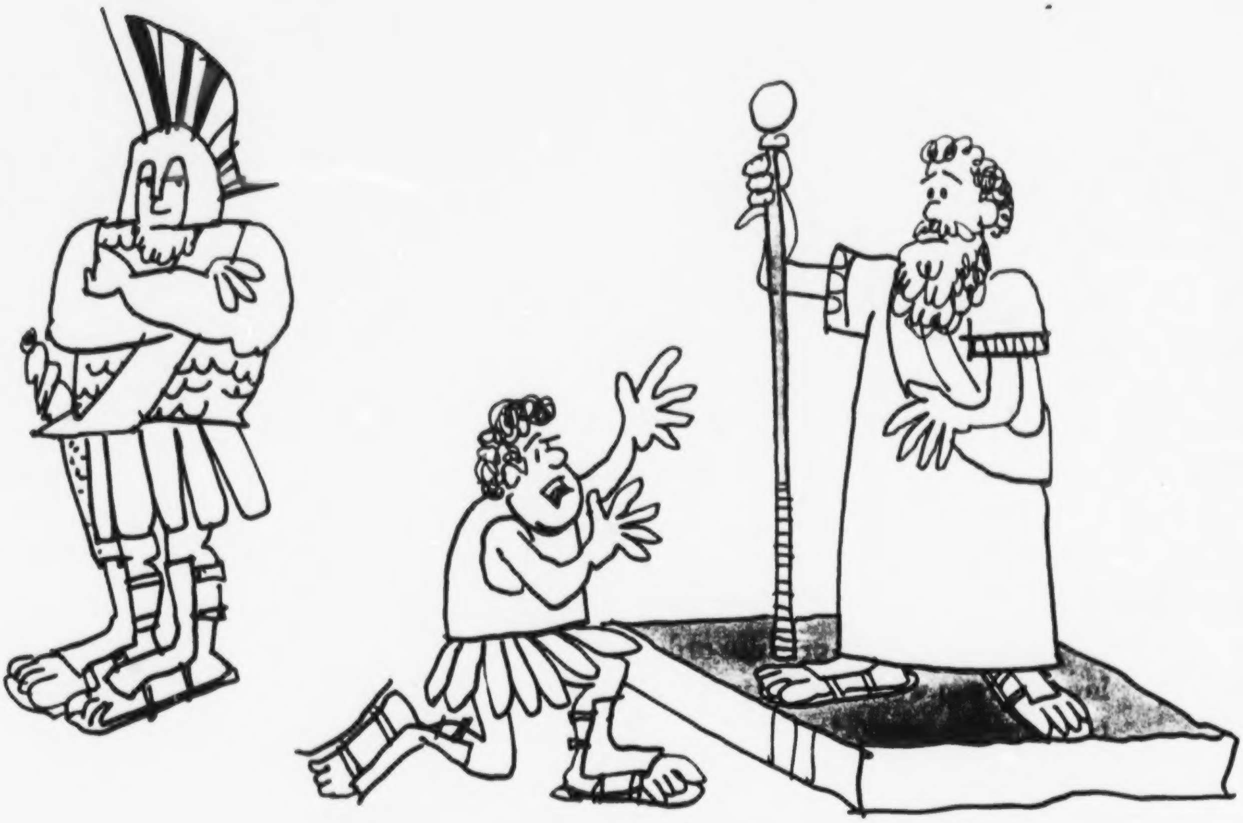
Haemon's Appeal

When Haemon, Antigone's fiance, heard what had happened, he went to his father Creon to beg for a pardon. But Creon refused.



"Of all citizens of Thebes, I have found Antigone and Antigone alone disobedient to my law," Creon explained to Haemon. "If I do not kill her, I will look like a liar to my own people. The citizens of Thebes will think me weak. The public order, the state itself will be in jeopardy. I cannot have two rules, one for my kin and another for everyone else.

"My son, if this city is to survive, authority must be obeyed in small as well as great matters, even in unjust as well as just things. Disobedience is the worst of evils. It ruins cities. It makes wastelands out of homes."

After hearing his father speak, Haemon answered: "Father, hear me out. Far be it from me to say you are not right. But others—even I—may also have useful thoughts. I am your eyes and ears, and I can tell you what citizens fear to tell you to your face. Father, they are talking. I hear people murmuring in the dark; they are moaning for Antigone. They say she deserves reward not punishment for what she has done. Such is the dark rumor that spreads in secret.

"Those who are truly wise," Haemon continued, "must know that there is a time to bend and not insist on their will. Don't you see, father, when the wind blows fiercely, the trees that yield to it save every twig, while the stiff and unbending perish root and branch? Spare Antigone, for if you kill her the people will turn against you."

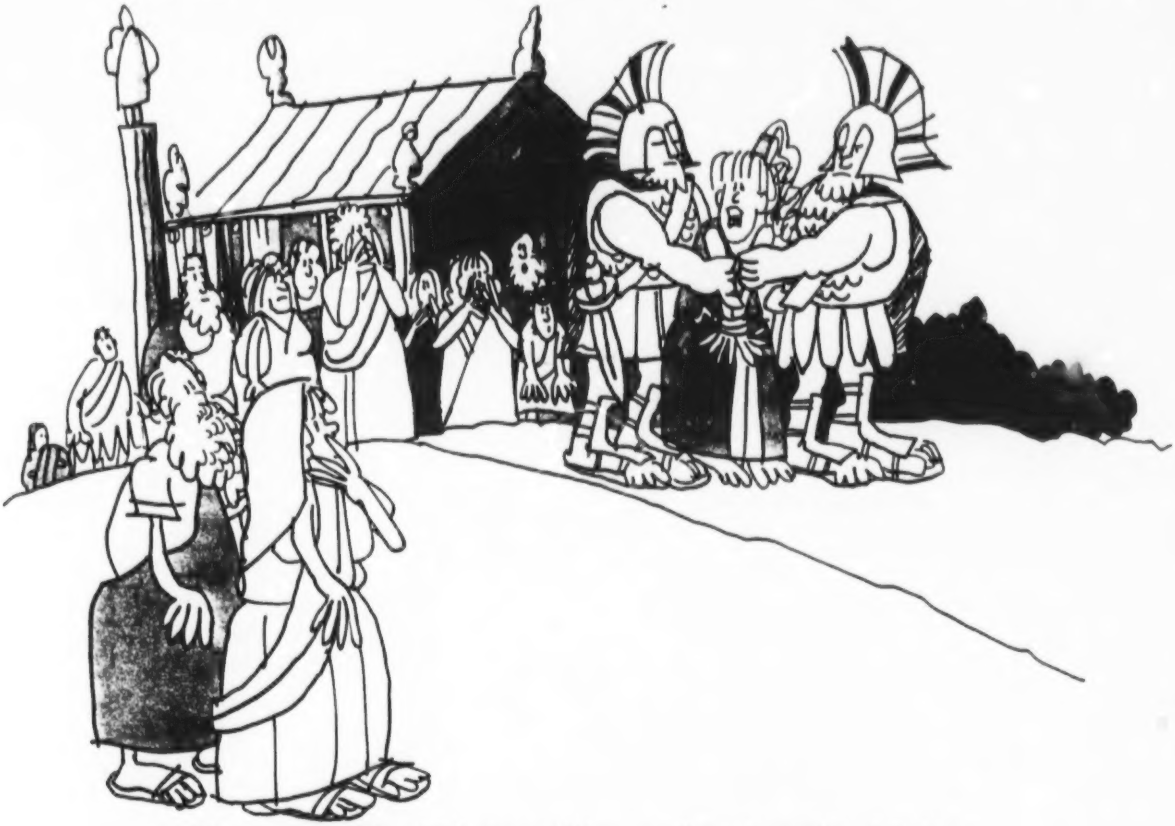
"Is it your wish that I honor lawlessness? For that is what Antigone represents. Should I show respect for evil doers?" Creon asked.

"The people of Thebes," said Haemon, "with one voice deny that Antigone is evil. You have no authority, father, to disobey the gods' requirements. The gods have their own laws, superior to yours."

"Don't talk to me about laws, Haemon. Our city, our civilization, is held together by the laws of this world. Our city has been torn apart by civil war. Our wounds are fresh and still unhealed. If Antigone has her way, it will mean that anyone can disobey whatever laws they decide are wrong. If those who break the law go unpunished, our fragile civic order will be reduced to chaos. Even the innocent will suffer! We will be a lawless city, no different from barbarians."

Tragic Consequences

Creon ordered Antigone taken to a cave where she would be abandoned. On the road to the cave that would be both prison and tomb, Antigone spoke to the crowd that had gathered to see her.



"See me, people of Thebes, citizens of my homeland," she called out. "See me setting out on my last journey, looking at sunlight for the last time. I will die unwed, unmourned, and friendless. What a miserable creature I am! As night follows the day, the fate I cannot escape has overtaken me. And why am I to die?"

Creon entered from the palace and spoke. "Citizens of Thebes, hear what I have to say. It is a sad command that I give, but one which must be given. Antigone has knowingly defied the law of the state by attempting to bury Polyneices.

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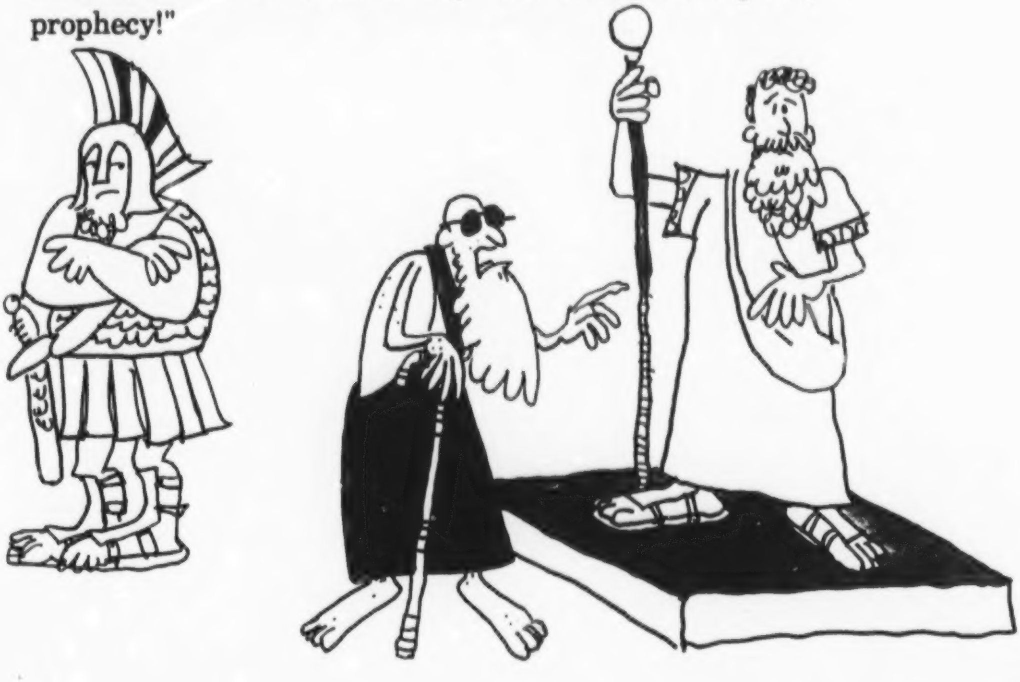
"If we allow people to defy the law," he continued, "our city will not survive. It is my duty, my solemn obligation as ruler, not to allow our city to be threatened by such a rebellious act. Antigone will therefore be taken to the mountain and imprisoned in a cave. Food will be left for her, but only enough to protect the reputation of Thebes against an accusation of excessive cruelty."

He turned to the woman before him and said, "Do you, Antigone, have any final words? "

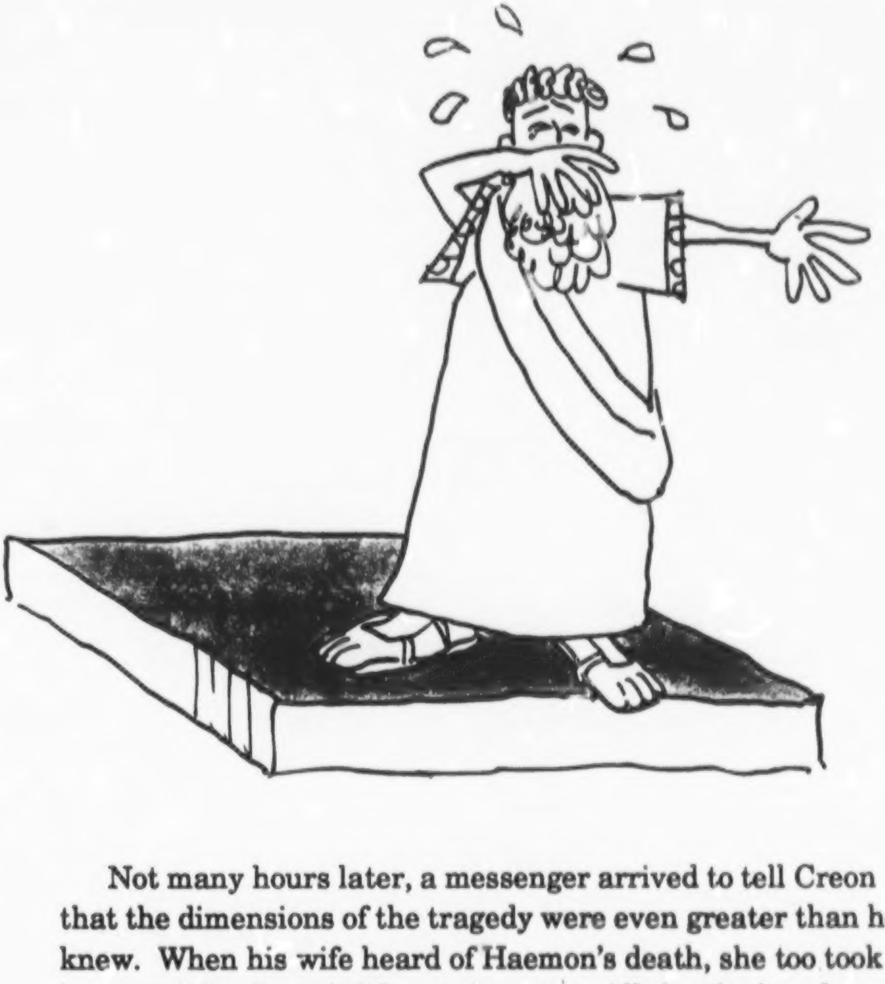
"Only this, Creon. I am being sent to my death because I have chosen to obey the laws of heaven rather than those of earth. I know my reverence for the gods has offended you, but in my own mind and heart I feel I have not sinned; I have committed no crime. I have done no more than my duty. I will trust myself to the gods I have served, knowing that I have disobeyed no laws of theirs."

After the guards took Antigone away, a blind prophet warned Creon against putting Antigone to death. "The sun's chariot will race scarcely once across the sky before you pay for Antigone's fate with a corpse of your own flesh. Soon your house will be filled with wailing. You shall not escape my prophecy!"



Finally, with great reluctance, Creon agreed to reverse his decision. It was too late. For as he approached the prison cave, he heard his son Haemon's voice grieving for his beloved Antigone, who had hanged herself.

Looking in the cave, Creon saw his son weeping with his arms around his would-be bride. Creon begged his son to come away. But Haemon screamed curses at him and stabbed himself to death, clinging to Antigone in his last dying moments.



Not many hours later, a messenger arrived to tell Creon that the dimensions of the tragedy were even greater than he knew. When his wife heard of Haemon's death, she too took her own life. Creon's life was in ruins. All that he loved was taken from him. He was left a broken man longing for nothing more than the release of death.

Preparing for a Class Debate

Your class should be divided into three groups. One group should develop and present arguments for Creon's position. The second group should do the same for Antigone. The third group is to represent the citizens of Thebes, who will listen to the presentations of both sides, ask questions, and decide which group has presented the better argument. Each group should follow the specific instructions below in preparing for the debate.

Group 1: Creon

Your group is to defend Creon's position. Select spokespersons to present your arguments to the class. Your presentation should provide answers to the following questions and any others the citizens of Thebes may ask.

How might it affect Creon's authority if he were to make an exception to his burial rule for Antigone?

What problems would likely occur in Thebes if Creon's authority were ineffective?

Why does Creon think he has the authority to overrule the laws of the gods?

Group 2: Antigone

Your group is to defend Antigone's position. Select spokespersons to present your arguments to the class. Your presentation should provide answers to the following questions and any others the citizens of Thebes may ask.

What argument might Antigone give to convince Creon to change his rule or make an exception for her?

What argument might Antigone give in support of her decision to obey the laws of the gods rather than Creon's law?

Why does Antigone think the laws of the gods should be a higher authority than the laws of the state?

Group 3: Citizens of Thebes

Your group is to represent the citizens of Thebes. You are to question both of the above groups in order to decide whose position you prefer.

Select a chairperson for your group. Develop a list of questions to evaluate the positions of the other groups and to challenge their arguments. For example, you may wish to ask the following questions.

To ask Creon:

Aren't there times when it is reasonable to make an exception to a rule?

You argue that people should respect authority, but you are not respecting the authority of the laws of the gods. Aren't you being as disrespectful of authority as you claim Antigone is being?

Many people in Thebes support Antigone's position. Don't you think putting her to death will cause great problems?

To ask Antigone:

If Creon makes an exception for you, won't other people ask for the same treatment? How can Creon refuse them without being accused of being unfair? If he gives many people special treatment, what effect might this have on his authority?

If Creon changes his rule and obeys the laws of the gods, aren't people going to claim that he is weak and has given in because you are his niece? Won't this weaken his authority?

You saw the lawlessness and disorder that occurred during the civil war between your brothers. Don't you think that if you, the king's niece, disobey laws, it might lead others to do so? Might not Thebes return to a destructive state of lawlessness?

Conducting the Class Debate

1. After all three groups have had time to prepare, the chairperson of the citizens' group should call the debate to order.

2. Groups one and two will each have five minutes to make their presentations. After each presentation, citizens of Thebes may ask questions. The chairperson may also allow members of the opposing group to ask questions.

3. Members of the group making the presentation may consult with each other before answering questions. Any member of the group may answer a question.

4. After each group has presented its arguments and answered questions, the citizens' group should meet briefly to decide who made the most persuasive arguments. The chairperson should explain the group's decision to the class. The class should then discuss the decision of the citizens' group and answer the questions below.

What do you think?

1. What were the strengths and weaknesses of Creon's position? Of Antigone's?

2. Were there other effective ways for Antigone to protest Creon's law? If so, what were they?

3. What factors should be considered in deciding to disobey a law?

4. What if people of different religious or moral values disagree about what the higher law is?

5. Do you think civil disobedience is ever justified? Explain your position.